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United Nations

Resolutions and Decisions of the Security Council

1 August 2002 – 31 July 2003

Security Council
Official Records

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NOTE

The present volume of *Resolutions and Decisions of the Security Council* contains the resolutions adopted and the decisions taken by the Council on substantive questions during the period from 1 August 2002 to 31 July 2003, as well as decisions on some of the more important procedural matters. The resolutions and decisions are set out in parts I and II, under general headings indicating the questions under consideration. In each part, the questions are arranged according to the date on which they were first taken up by the Council in the period under review, and under each question the resolutions and decisions appear in chronological order.

The resolutions are numbered in the order of their adoption. Each resolution is followed by the result of the vote. Decisions are usually taken without a vote, but in cases where a vote has been recorded, it is given immediately after the decisions.

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Membership of the Security Council in 2002 and 2003

In 2002 and 2003, the membership of the Security Council was as follows:

2002	2003
Bulgaria	Angola
Cameroon	Bulgaria
China	Cameroon
Colombia	Chile
France	China
Guinea	France
Ireland	Germany
Mauritius	Guinea
Mexico	Mexico
Norway	Pakistan
Russian Federation	Russian Federation
Singapore	Spain
Syrian Arab Republic	Syrian Arab Republic
United Kingdom of Great Britain and Northern Ireland	United Kingdom of Great Britain and Northern Ireland
United States of America	United States of America

Resolutions adopted and decisions taken by the Security Council from 1 August 2002 to 31 July 2003

Part I. Questions considered by the Security Council under its responsibility for the maintenance of international peace and security

THE SITUATION IN ANGOLA[1]

Decisions

At its 4595th meeting, held in private on 7 August 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4595th meeting, held in private on 7 August 2002, the Security Council considered the item entitled 'The situation in Angola'.
>
> "The President, with the consent of the Council, invited Mr. Georges Chikoti, Vice-Minister for External Relations of Angola, to participate in the discussion of the item, without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "The President, with the consent of the Council, invited Mr. Ibrahim A. Gambari, Under-Secretary-General and Special Adviser for Africa, to participate in the discussion of the item, in accordance with rule 39 of the provisional rules of procedure.
>
> "The Council heard briefings by Mr. Chikoti and Mr. Gambari."

At its 4603rd meeting, on 15 August 2002, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled "The situation in Angola".

Resolution 1432 (2002) of 15 August 2002

The Security Council,

Reaffirming all its previous resolutions, in particular resolution 1127 (1997) of 28 August 1997 and resolution 1412 (2002) of 17 May 2002, and the statements by its President on the situation in Angola, in particular the statement of 28 March 2002,[2]

Welcoming the historic step taken by the Government of Angola and the União Nacional para a Independência Total de Angola, on 4 April 2002, by signing the Complementary Memorandum of Understanding to the Lusaka Protocol for the Cessation of Hostilities and the Resolution of the Remaining Military Issues Pending under the Lusaka Protocol,[3]

Welcoming also the efforts made by the Government of Angola to restore peaceful and secure conditions in the country, to re-establish effective administration and to promote national reconciliation,

---

[1] Resolutions or decisions on this question were also adopted by the Security Council in the years from 1992 to 2001 and during the period from 1 January to 31 July 2002.

[2] S/PRST/2002/7.

[3] See S/2002/483.

Welcoming further the ongoing efforts of the União Nacional para a Independência Total de Angola to become an active participant in the democratic political process of Angola, in particular the demobilization and quartering of soldiers of the União Nacional para a Independência Total de Angola as well as the disbanding of its military wing on 2 August 2002,

Reaffirming its commitment to preserve the sovereignty and territorial integrity of Angola,

Emphasizing the importance of the full implementation of the "Acordos de Paz",[4] the Lusaka Protocol,[5] the Complementary Memorandum of Understanding and the relevant Security Council resolutions, in close cooperation with the United Nations and the troika of observers,

Recalling the decision in resolution 1412 (2002) to suspend for a period of ninety days the measures imposed by paragraphs 4 (*a*) and (*b*) of resolution 1127 (1997) so as to facilitate travel by members of the União Nacional para a Independência Total de Angola in order for the peace process and national reconciliation to advance,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to suspend the measures imposed by paragraphs 4 (*a*) and (*b*) of resolution 1127 (1997) for an additional period of ninety days from the date of adoption of the present resolution, with a view to encouraging further the peace process and national reconciliation in Angola;

2. *Decides also* that, prior to the end of that period, the Council may consider reviewing the measures referred to in paragraph 1 above, taking into account all available information, including from the Government of Angola, on the implementation of the peace accords;

3. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4603rd meeting.

Decision

At its 4604th meeting, on 15 August 2002, the Security Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Report of the Secretary-General to the Security Council on Angola (S/2002/834)".

Resolution 1433 (2002)
of 15 August 2002

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all its subsequent resolutions on the situation in Angola, in particular resolution 1268 (1999) of 15 October 1999,

Emphasizing its commitment to preserve the unity, sovereignty and territorial integrity of Angola,

Reaffirming the importance of the "Acordos de Paz",[4] the Lusaka Protocol[5] and the Complementary Memorandum of Understanding to the Lusaka Protocol for the Cessation of Hostilities and the Resolution of the Remaining Military Issues Pending under the Lusaka Protocol,[3] as well as relevant Council resolutions,

[4] See S/22609, annex.

[5] S/1994/1441, annex.

Recalling the statement by its President of 28 March 2002,[2] which, in particular, stresses the willingness of the Council to support adjustments to the mandate of the United Nations Office in Angola, which should take into account recent developments in Angola,

Welcoming the report of the Secretary-General of 26 July 2002,[6]

Expressing its appreciation for the work of the Office in support of the people of Angola,

Expressing its view that the presence of the United Nations in Angola can contribute to the consolidation of peace through the promotion of political, military, human rights, humanitarian and economic goals, as set out in the report of the Secretary-General,

1. *Authorizes* the establishment, as a follow-on mission to the United Nations Office in Angola, of the United Nations Mission in Angola for a period of six months, until 15 February 2003, to pursue the objectives and to perform the tasks recommended by the Secretary-General in his report[6] and reflected in paragraph 3 below, and expresses its intention, in determining whether to extend, adjust or curtail the Mission, to take into account the recommendations of the Secretary-General based on the assessment of his Special Representative of progress made in completing the Lusaka Protocol;[5]

2. *Welcomes* the appointment of a resident Special Representative of the Secretary-General to serve as the head of the Mission and to oversee a coordinated and integrated approach to United Nations activities in Angola, as reflected in the mandate of the Mission described in paragraph 3 below;

3. *Endorses* the staffing of the Mission, as appropriate and as recommended by the Secretary-General in his report, including the recommendation for a child protection adviser, with the following mandate:

(*a*) To assist the parties in concluding the Lusaka Protocol by:

(i) Chairing the Joint Commission;

(ii) Leading the completion of the agreed list of tasks which remain pending under the Lusaka Protocol;

(*b*) To assist the Government of Angola in undertaking the following tasks:

(i) Protection and promotion of human rights and the building of institutions to consolidate peace and to enhance the rule of law;

(ii) Provision of technical advice and support for mine action;

(iii) Facilitation and coordination of delivery of humanitarian assistance to vulnerable groups, including internally displaced persons and families in quartering areas, with special concern for children and women;

(iv) Support for social and professional reintegration of demobilized personnel through appropriate United Nations agencies;

(v) Promotion of economic recovery through relevant United Nations agencies;

(vi) Mobilization of the resources of the international community, to include international donor conferences, as appropriate; and

(vii) Provision of technical assistance to the Government of Angola in the preparation of elections;

4. *Requests* the Secretary-General to report to the Security Council when his Special Representative confirms that the Joint Commission has determined that all remaining tasks under

[6] S/2002/834.

the Lusaka Protocol have been completed, and notes that, upon the conclusion of the mandate of the Mission, the United Nations Resident Coordinator will resume authority for supervising the above tasks, as appropriate;

5. *Also requests* the Secretary-General to provide an interim report to enable a three-month review of the work of the Mission by the Council;

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4604th meeting.

Decisions

On 12 September 2002, the President of the Security Council addressed the following letter to the Secretary-General:[7]

> "I have the honour to inform you that your letter dated 10 September 2002 concerning your intention to appoint Mr. Ibrahim A. Gambari as your Special Representative for Angola[8] has been brought to the attention of the members of the Security Council. They take note of the information and intention contained in your letter."

At its 4628th meeting, on 18 October 2002, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled "The situation in Angola".

Resolution 1439 (2002)
of 18 October 2002

The Security Council,

Reaffirming its resolution 864 (1993) of 15 September 1993 and all subsequent relevant resolutions, in particular resolutions 1127 (1997) of 28 August 1997, 1173 (1998) of 12 June 1998, 1237 (1999) of 7 May 1999, 1295 (2000) of 18 April 2000, 1336 (2001) of 23 January 2001, 1348 (2001) of 19 April 2001, 1374 (2001) of 19 October 2001, 1404 (2002) of 18 April 2002, 1412 (2002) of 17 May 2002 and 1432 (2002) of 15 August 2002,

Reaffirming also its commitment to preserve the sovereignty and territorial integrity of Angola,

Welcoming the steps taken by the Government of Angola and the União Nacional para a Independência Total de Angola toward the full implementation of the "Acordos de Paz",[4] the Lusaka Protocol,[5] the Complementary Memorandum of Understanding to the Lusaka Protocol for the Cessation of Hostilities and the Resolution of the Remaining Military Issues Pending under the Lusaka Protocol, of 4 April 2002,[3] and the relevant Council resolutions,

Welcoming also the reconvening of the Joint Commission, the establishment of the United Nations Mission in Angola and the appointment of a Special Representative of the Secretary-General for Angola,

Expressing once again its concern regarding the humanitarian effects of the present situation on the civilian population of Angola,

Recognizing the importance attached, inter alia, to the monitoring, for as long as it is necessary, of the implementation of the provisions contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998),

[7] S/2002/1027.

[8] S/2002/1026.

Noting the existence of continued challenges to the stability of Angola, and determining that ensuring the stability of Angola is necessary for the maintenance of peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Expresses its intention* to give full consideration to the additional report of the monitoring mechanism[9] established pursuant to resolution 1295 (2000), submitted pursuant to paragraph 7 of resolution 1404 (2002);

2. *Decides* to extend the mandate of the monitoring mechanism for a further period of two months, ending on 19 December 2002, subject to review by the Security Council;

3. *Requests* the monitoring mechanism to provide the Security Council Committee established pursuant to resolution 864 (1993) (hereinafter referred to as "the Committee"), within ten days from the date of adoption of the present resolution, with an action plan for its future work, to include:

(*a*) Plans for ample consultations in Angola between members of the monitoring mechanism and representatives of both the Government of Angola and the União Nacional para a Independência Total de Angola, with a view to assessing the situation and to contributing towards a full review by the Council of the measures imposed against the União Nacional para a Independência Total de Angola, once the peace process has been completed;

(*b*) An assessment of possible violations of existing measures imposed against the União Nacional para a Independência Total de Angola that may have occurred since the signing of the Complementary Memorandum of Understanding;[3]

(*c*) Details on renewed efforts to locate funds and financial resources of the União Nacional para a Independência Total de Angola currently frozen pursuant to existing measures;

(*d*) The development of possible recommendations with regard to the issue of funds and financial resources which were located by Member States and subsequently frozen pursuant to existing measures;

(*e*) Details on the ongoing monitoring and investigation of possible violations of the arms embargo established pursuant to resolution 864 (1993) and prohibitions against the import from Angola of diamonds not controlled by the certificate-of-origin scheme of the Government of Angola, as called for pursuant to resolution 1173 (1998);

4. *Also requests* the monitoring mechanism to provide a further additional report to the Committee, by 13 December 2002, focusing in particular on possible violations of measures imposed against the União Nacional para a Independência Total de Angola that may have occurred since the signing of the Complementary Memorandum of Understanding and on the identification of funds and financial resources of the União Nacional para a Independência Total de Angola frozen pursuant to paragraph 11 of resolution 1173 (1998);

5. *Requests* the Secretary-General, upon adoption of the present resolution and acting in consultation with the Committee, to appoint two experts to serve on the monitoring mechanism, and also requests him to make the necessary financial arrangements to support the work of the mechanism;

6. *Requests* the Chairman of the Committee to submit the additional report to the Council by 19 December 2002;

7. *Calls upon* all States to cooperate fully with the monitoring mechanism in the discharge of its mandate;

[9] S/2002/1119, annex

8. *Decides* that the provisions of paragraphs 4 (*a*) and (*b*) of resolution 1127 (1997) shall cease to have effect from 0001 hours eastern standard time on 14 November 2002, following the expiration of the suspension of the measures as set out in paragraph 1 of resolution 1432 (2002);

9. *Decides also* to review, with a view to their possible lifting, all the measures contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998), by 19 November 2002, taking into account all available information, including from the Government of Angola and all other parties involved, on the implementation of the peace accords;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4628th meeting.

Decision

At its 4657th meeting, on 9 December 2002, the Security Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled "The situation in Angola".

Resolution 1448 (2002)
of 9 December 2002

The Security Council,

Reaffirming its resolution 864 (1993) of 15 September 1993 and all subsequent relevant resolutions, in particular resolutions 1127 (1997) of 28 August 1997, 1173 (1998) of 12 June 1998, 1237 (1999) of 7 May 1999, 1295 (2000) of 18 April 2000, 1336 (2001) of 23 January 2001, 1348 (2001) of 19 April 2001, 1374 (2001) of 19 October 2001, 1404 (2002) of 18 April 2002, 1412 (2002) of 17 May 2002, 1432 (2002) and 1433 (2002) of 15 August 2002 and 1439 (2002) of 18 October 2002,

Reaffirming also its commitment to preserve the sovereignty and territorial integrity of Angola,

Welcoming the steps taken by the Government of Angola and the União Nacional para a Independência Total de Angola toward the full implementation of the "Acordos de Paz",[4] the Lusaka Protocol,[5] the Complementary Memorandum of Understanding to the Lusaka Protocol for the Cessation of Hostilities and the Resolution of the Remaining Military Issues Pending under the Lusaka Protocol, of 4 April 2002,[3] relevant Security Council resolutions, the declaration on the peace process issued by the Government of Angola on 19 November 2002[10] and the completion of the work of the Joint Commission, as expressed in the Declaration by the Joint Commission on the Peace Process, signed at Luanda on 20 November 2002,[11]

Expressing once again its concern regarding the humanitarian effects of the present situation on the civilian population of Angola,

Acting under Chapter VII of the Charter of the United Nations,

1. *Expresses its intention* to give full consideration to the additional report of the monitoring mechanism[9] established pursuant to resolution 1295 (2000);

2. *Decides* that the measures imposed by paragraph 19 of resolution 864 (1993), paragraphs 4 (*c*) and (*d*) of resolution 1127 (1997) and paragraphs 11 and 12 of resolution 1173 (1998) shall cease to have effect from the date of adoption of the present resolution;

3. *Decides also* to dissolve the Security Council Committee established pursuant to paragraph 22 of resolution 864 (1993) with immediate effect;

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[9] S/2002/1337, annex.

[11] S/2002/1274, annex.

4. *Decides further* to request the Secretary-General to close the United Nations Trust Fund established pursuant to paragraph 11 of resolution 1237 (1999) and to make the necessary arrangements to reimburse, on a proportionate basis and in accordance with relevant financial procedures, those Members States that provided voluntary contributions to the Trust Fund.

Adopted unanimously at the 4657th meeting.

Decisions

At its 4671st meeting, on 17 December 2002, the Security Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Interim report of the Secretary-General on the United Nations Mission in Angola (S/2002/1353)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahim A. Gambari, Special Representative of the Secretary-General for Angola and Head of the United Nations Mission in Angola.

THE SITUATION CONCERNING THE DEMOCRATIC REPUBLIC OF THE CONGO[12]

Decisions

At its 4596th meeting, on 8 August 2002, the Security Council decided to invite the representatives of the Democratic Republic of the Congo, Rwanda and South Africa to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At its 4597th meeting, held in private on 8 August 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4597th meeting, held in private on 8 August 2002, the Security Council considered the item entitled 'The situation concerning the Democratic Republic of the Congo'.

"Ms. Nkosazana C. Dlamini Zuma, Minister for Foreign Affairs of South Africa, Mr. Leonard She Okitundu, Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo, and Mr. Patrick Mazimpaka, Special Envoy of the President of the Rwandese Republic on the Great Lakes Region, were invited, at their request, to participate in the discussion in accordance with rule 37 of the provisional rules of procedure of the Council.

"The members of the Council, the Minister for Foreign Affairs of South Africa, the Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo and the Special Envoy of the President of Rwanda on the Great Lakes Region had a constructive discussion."

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[12] Resolutions or decisions on this question were also adopted by the Security Council in the years from 1997 to 2001 and during the period from 1 January to 31 July 2002.

At its 4602nd meeting, on 15 August 2002, the Council decided to invite the representatives of the Democratic Republic of the Congo and Rwanda to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[13]

"The Security Council expresses its appreciation to the Ministers for Foreign Affairs of the Democratic Republic of the Congo and South Africa, and to the Special Envoy of the President of the Rwandese Republic on the Great Lakes Region, who participated in its meeting on the Democratic Republic of the Congo.

"The Council welcomes the Peace Agreement between the Governments of the Democratic Republic of the Congo and the Rwandese Republic and the Programme of Implementation for the Withdrawal of Rwandan Troops from the Territory of the Democratic Republic of the Congo and the Dismantling of the ex-Rwandese Armed Forces and Interahamwe in the Democratic Republic of the Congo, signed in Pretoria on 30 July 2002.[14] The Council commends the Governments of the Democratic Republic of the Congo and Rwanda for engaging in direct dialogue on their mutual security concerns and urges them to continue this dialogue.

"The Council expresses its full support for the implementation of the Pretoria Peace Agreement. In this regard, the Council looks forward to considering as soon as possible the recommendations of the Secretary-General on ways in which the United Nations Organization Mission in the Democratic Republic of the Congo and, through the coordination of the Mission, all relevant United Nations agencies can assist the parties in fulfilling their responsibilities to implement the Peace Agreement.

"The Council commends the Government of South Africa for its facilitation of the Peace Agreement, and for its further role, together with the Secretary-General, regarding the Agreement.

"The Council stresses, in particular, the responsibilities of the two parties set out in the Peace Agreement and the Programme of Implementation and calls upon the international community to assist and expedite the carrying out of those responsibilities.

"The Council reiterates its support for the mandate of the Mission, as established by its resolution 1417 (2002) of 14 June 2002, in particular in the area of voluntary disarmament, demobilization, repatriation, resettlement and reintegration.

"The Council expresses the importance of close consultations and cooperation between the Governments of the Democratic Republic of the Congo, Rwanda and South Africa, and the Mission, and through the coordination of the Mission, all relevant United Nations agencies, on measures that can help to implement that Agreement and to facilitate voluntary disarmament, demobilization, repatriation, resettlement and reintegration.

"The Council welcomes the commitments of the Governments of the Democratic Republic of the Congo and Rwanda under the Peace Agreement to cooperate in the identification, disarmament and repatriation of the ex-Rwandese Armed Forces and Interahamwe. The Council urges the parties to the Agreement to make every effort to comply fully with all their obligations, in conformity with Council resolution 1341 (2001) of 22 February 2001 and the Programme of Implementation of the Agreement. The Council also welcomes the commitment of the Government of Rwanda, under the Agreement, regarding the withdrawal of its troops from the territory of the Democratic Republic of the

[13] S/PRST/2002/24.

[14] S/2002/914, annex.

Congo and, in this regard, notes the submission by Rwanda of its initial troop withdrawal plan to the 'Third Party'.

"The Council will remain seized of these matters."

At its 4608th meeting, held in private on 13 September 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4608th meeting, held in private on 13 September 2002, the Security Council considered the item entitled 'The situation concerning the Democratic Republic of the Congo'.

"Major-General Joseph Kabila, President of the Democratic Republic of the Congo, Mr. Paul Kagame, President of the Rwandese Republic, and Ms. Nkosazana C. Dlamini Zuma, Minister for Foreign Affairs of South Africa, were invited to participate in the discussion in accordance with rule 37 of the provisional rules of procedure of the Council.

"The Secretary-General, the members of the Council, the President of the Democratic Republic of the Congo, the President of Rwanda and the Minister for Foreign Affairs of South Africa had a constructive discussion."

At its 4626th meeting, on 18 October 2002, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[15]

"The Security Council welcomes the progress on withdrawal of foreign forces from the territory of the Democratic Republic of the Congo, stresses that the withdrawals must be completed, and calls for the implementation of all the agreements signed by the parties and all relevant resolutions of the Council. At the same time, the Council expresses its strong concern at the rising tensions in the east of the country, in particular in Uvira and in the Ituri region.

"The Council condemns the continuing violence in the east of the Democratic Republic of the Congo, in particular the attack on Uvira by Mai-Mai and other forces, and views with great concern the build-up of forces around Bukavu. The Council notes with concern that these actions add to the instability in the east of the Democratic Republic of the Congo, threaten regional stability, have severe humanitarian consequences, especially by increasing the numbers of internally displaced persons and refugees, and could threaten the border security of Burundi and Rwanda.

"The Council calls upon all parties to the conflict to cease hostilities immediately and without preconditions, welcomes the call by the Government of the Democratic Republic of the Congo in its communiqué of 14 October 2002 for such a ceasefire[16] and calls upon the Government of the Democratic Republic of the Congo and all Governments in the region to exert their influence on all the parties to this effect and to refrain from any action which would further exacerbate the situation or undermine the peace process.

"The Council invites the Secretary-General to report further on the events in the region of Uvira and stresses the importance for the United Nations Organization Mission in the Democratic Republic of the Congo to increase its monitoring presence in the east of the Democratic Republic of the Congo, in particular in the regions bordering Burundi and

[15] S/PRST/2002/27.

[16] S/2002/1143, annex.

Rwanda, as soon as security conditions allow such a deployment. It encourages all local actors, including the parties to the conflict as well as civil society and religious organizations, to engage in talks in order to end the hostilities and to agree on a basis for peaceful coexistence in the region during the transitional period in the Democratic Republic of the Congo. In this regard, the Council encourages the Secretary-General to consider using his good offices to promote and facilitate such talks, with the Mission providing support where applicable.

"The Council reminds all parties in Uvira and in the area that they must abide by international humanitarian standards and ensure respect for human rights in the sectors they control.

"The Council expresses its deep concern over the intensification of ethnically targeted violence in the Ituri region. It condemns all such violence or incitement to violence. It requests all parties to take immediate action to defuse those tensions, ensure the protection of civilians and end violations of human rights. The Council welcomes the efforts of the Governments of Uganda and the Democratic Republic of the Congo to set up the Ituri Pacification Commission, as set out under the Luanda Agreement,[17] and requests the Mission to provide support in this regard, when applicable.

"The Council stresses that no Government, military force or organization or individual should provide military or other supplies or any other form of support to any of the groups involved in the fighting in the east of the Democratic Republic of the Congo and in Burundi.

"The Council also expresses its concern at the situation in Kisangani, and reiterates its demand that the city be demilitarized.

"The Council urges all Congolese parties to accelerate efforts to reach agreement on an all-inclusive Transitional Government and expresses its support for the efforts of the Special Envoy of the Secretary-General in this regard.

"The Council calls upon all parties and armed groups involved in the conflict in the Democratic Republic of the Congo to commit themselves to achieving a peaceful settlement for the region, and condemns any attempt to use military action to influence the peace process.

"The Council expresses its full support for the efforts of the Special Representative of the Secretary-General, the Mission and the Government of South Africa.

"The Council calls upon regional leaders to continue to support efforts to end the conflict in Burundi, and in this regard welcomes the recent visit of the Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo to Burundi and the adoption of a joint communiqué by the two Governments.[18] The Council calls upon the two Governments rapidly to conclude an agreement on the normalization of relations and cooperation in security matters."

At its 4634th meeting, on 24 October 2002, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Letter dated 15 October 2002 from the Secretary-General addressed to the President of the Security Council (S/2002/1146)".

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[17] Treaty on the withdrawal of Ugandan troops from the Democratic Republic of the Congo, cooperation and normalization of relations between the Democratic Republic of the Congo and the Republic of Uganda, signed at Luanda on 6 September 2002.

[18] S/2002/1142, annex.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mahmoud Kassem, Chairman of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo.

At its 4642nd meeting, on 5 November 2002, the Council decided to invite the representatives of Belgium, Canada, the Democratic Republic of the Congo, Denmark, Oman, Rwanda, South Africa, Uganda and Zimbabwe to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Letter dated 15 October 2002 from the Secretary-General addressed to the President of the Security Council (S/2002/1146)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mahmoud Kassem, Chairman of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo.

Upon resumption of the meeting, on 5 November 2002, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item.

At its 4653rd meeting, on 4 December 2002, the Council considered the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Special report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2002/1005)".

Resolution 1445 (2002)
of 4 December 2002

The Security Council,

Recalling its resolutions and the statements by its President regarding the Democratic Republic of the Congo,

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all other States in the region,

Reaffirming also the obligation of all States to refrain from the use of force against the territorial integrity and political independence of any State, or in any other manner inconsistent with the purposes and principles of the United Nations,

Reaffirming further the sovereignty of the Democratic Republic of the Congo over its natural resources,

Recalling the responsibility of all parties to cooperate in the full deployment of the United Nations Organization Mission in the Democratic Republic of the Congo,

Recognizing the importance of a gender perspective in peacekeeping operations, in accordance with Security Council resolution 1325 (2000) of 31 October 2000, and the importance of the protection of children in armed conflict, in accordance with Council resolution 1379 (2001) of 20 November 2001,

Taking note of the special report of the Secretary-General of 10 September 2002 and the recommendations contained therein,[19]

[19] S/2002/1005.

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

1. *Welcomes* the signature by the Democratic Republic of the Congo and the Rwandese Republic of the Peace Agreement, at Pretoria on 30 July 2002,[14] as well as the signature by the Democratic Republic of the Congo and the Republic of Uganda of the Luanda Agreement,[17] and welcomes also the efforts of South Africa, Angola and the Secretary-General in facilitating the adoption of those agreements;

2. *Welcomes also* the decision taken by all foreign parties to withdraw fully their troops from the territory of the Democratic Republic of the Congo, as well as progress in the implementation of those processes, in particular the withdrawal of 23,400 Rwandan troops from the Democratic Republic of the Congo verified by the Third Party Verification Mechanism, on 24 October 2002, as well as the withdrawals by Uganda, Zimbabwe and Angola, and stresses the importance for these withdrawals to be completed in a transparent, orderly and verified manner, and in this regard underlines the need for the parties to facilitate the verification of these withdrawals, including through the continuous provision to the United Nations Organization Mission in the Democratic Republic of the Congo of detailed information on these withdrawals, and requests the Secretary-General to report to the Council on this matter;

3. *Expresses its full support* for the Third Party Verification Mechanism, welcomes its work in helping the parties to implement the Pretoria Peace Agreement,[14] in accordance with Security Council resolutions and the norms of international law, and stresses the importance of close cooperation between the Government of South Africa and the Mission in the work of the Mechanism;

4. *Stresses* the importance of the voluntary nature of the disarmament, demobilization, repatriation, reintegration or resettlement of the armed groups referred to in chapter 9.1 of annex A to the Ceasefire Agreement signed at Lusaka on 10 July 1999,[20] calls upon the leaders and members of the armed groups to enter the disarmament, demobilization, repatriation, resettlement and reintegration process, also calls upon all concerned to work to this end, emphasizes the need to intensify the public information efforts of the Mission in this regard, and calls upon all parties to support these efforts;

5. *Also stresses* the importance of further early and substantial progress in the process of voluntary disarmament, demobilization, repatriation, resettlement and reintegration throughout the country to match the progress achieved on the withdrawal of foreign forces, and urges all parties concerned to cooperate fully with the Mission in this regard;

6. *Welcomes* the repatriation of ex-combatants and their dependants from Kamina, while noting that the number of those repatriated falls short of the original number of those assembled, and recognizes the good will and efforts of the Governments of the Democratic Republic of the Congo and Rwanda in cooperating on this issue with the Mission thus far;

7. *Welcomes also* the efforts of the Government of Rwanda in providing guarantees that ex-combatants and their dependants will be able to return in conditions of safety and security, stresses the importance of such guarantees, stresses also the importance of confidence-building measures, including international monitoring and reintegration assistance, and calls upon the Secretariat and other relevant bodies, in consultation with the signatories of the Ceasefire Agreement, to address the issue of the resettlement of any ex-combatants who may not wish to return to their home country;

8. *Welcomes further* the statement of 24 September 2002 of the Government of the Democratic Republic of the Congo banning the activities of the Forces démocratiques de libération du Rwanda throughout the territory of the Democratic Republic of the Congo and

[20] S/1999/815, annex.

declaring the leaders of that movement persona non grata on its territory, and encourages it to implement further its commitments to advance the disarmament, demobilization, repatriation, resettlement and reintegration of the armed groups in accordance with the Pretoria Peace Agreement;

9. *Welcomes* the commitment of the Government of the Democratic Republic of the Congo and other Congolese parties to achieve an inclusive agreement on the political transition, stresses the importance of such an agreement to the wider peace process, calls upon all Congolese parties to cooperate actively with a view to a speedy conclusion of such an agreement, and in this regard expresses its full support for the efforts of the Special Envoy of the Secretary-General;

10. *Notes* the encouraging developments on the ground, endorses the recommendations of the Secretary-General contained in his special report,[19] including those relating to the support of the Mission for the Third Party Verification Mechanism as well as the proposal to extend the funding of the quick-impact projects of the Mission, endorses in particular, the new concept of operations outlined in paragraphs 48 to 54 of the report, and authorizes the expansion of the Mission to consist of up to 8,700 military personnel, principally composed of two task forces, to be deployed on a phased basis as follows: the second task force shall be deployed when the Secretary-General reports to the Council that the first task force has been successfully deployed and the disarmament, demobilization and repatriation caseload cannot be met by the existing capacity of the first task force alone;

11. *Endorses*, in regard to disarmament, demobilization and repatriation under the new concept of operations of the Mission, the interim funding mechanism set out in paragraph 74 of the report for the voluntary disarmament, demobilization and repatriation of members of foreign armed groups, recognizes the importance of addressing the repatriation of dependants along with the ex-combatants, and calls upon the international community to provide the funds for this process;

12. *Calls upon* the Mission to pay special attention in carrying out its mandate to all aspects relating to gender perspective, in accordance with resolution 1325 (2000), as well as to the protection and reintegration of children, in accordance with resolution 1379 (2001);

13. *Stresses* that the main responsibility for resolving the conflict rests with the parties themselves, that they must continue to demonstrate their will to respect fully their commitments and that further efforts will be necessary to reach a comprehensive solution to the conflict and, in this regard:

(*a*) Calls for a full cessation of hostilities involving regular forces and armed groups throughout the territory of the Democratic Republic of the Congo, in particular in South Kivu and in Ituri;

(*b*) Calls for the cessation of all support to the armed groups referred to in chapter 9.1 of annex A to the Ceasefire Agreement;

(*c*) Calls upon all parties to provide full access for the Mission and the Third Party Verification Mechanism throughout the territory of the Democratic Republic of the Congo, including inside all ports, airports, airfields, military bases and border crossings;

(*d*) Calls for the surrender to the International Tribunal for Rwanda[21] of any persons indicted by the Tribunal,

(*e*) Reiterates its demand for Kisangani to be demilitarized without further delay or preconditions;

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[21] International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January and 31 December 1994.

(*f*) Demands that all parties work towards the immediate full restoration of freedom of movement on the Congo river;

14. *Expresses its deep concern* over the humanitarian situation throughout the country and, in particular, in the Ituri region, calls upon the parties to allow humanitarian agencies and organizations full access to populations in need and to ensure the safety and security of humanitarian workers, and condemns those who seek to hamper the provision of assistance to civilians in need;

15. *Also expresses its deep concern* over the intensification of ethnically targeted violence in the Ituri region, condemns all such violence or incitement to violence, requests all parties to take immediate actions to defuse these tensions, ensure the protection of civilians and end violations of human rights, calls upon all parties, in particular the Union des patriotes congolais, to cooperate to set up the Ituri Pacification Commission, and requests the Secretary-General to increase the presence of the Mission stationed in the area, if he determines that the security condition allows it, in order to provide support to this process as well as to humanitarian efforts, and to report back to the Council;

16. *Notes* the commitment of Uganda under the Luanda Agreement to complete the withdrawal of its forces no later than 15 December 2002, welcomes the positive interaction between the Governments of the Democratic Republic of the Congo and Uganda since the signing of the Agreement, and calls upon both parties to work, together and with the Mission, towards conditions that will allow the Agreement to be implemented in full;

17. *Reiterates* that no Government, military force or organization or individual should provide military or any other form of support to any of the groups involved in the fighting in the east of the Democratic Republic of the Congo, in particular in Ituri;

18. *Encourages* the Mission to continue its assessment of police capabilities and training needs in the Democratic Republic of the Congo, including, when necessary, at the level of local communities, with special attention to the Ituri area;

19. *Calls upon* all parties to pay special attention to all aspects relating to gender, in accordance with resolution 1325 (2000), and to the protection of children, in accordance with resolution 1379 (2001);

20. *Encourages* the Governments of the Democratic Republic of the Congo and, respectively, Rwanda and Uganda to take steps to normalize their relations and to cooperate to ensure mutual security along their borders, as provided for in the Pretoria Peace Agreement and the Luanda Agreement, and also encourages the Governments of the Democratic Republic of the Congo and Burundi to take similar steps;

21. *Stresses* the crucial importance of preventing the situation in the Democratic Republic of the Congo having a further destabilizing effect on the neighboring States, in particular Burundi, Rwanda, Uganda and the Central African Republic, and calls upon all parties concerned to cooperate in good faith to that end and to facilitate in this regard the continuing observation efforts by the Mission in the areas of its deployment, including eastern Democratic Republic of the Congo and border areas;

22. *Reaffirms* that an international conference on peace, security, democracy and development in the Great Lakes region, with participation by all the Governments of the region and all other parties concerned, should be organized at the appropriate time, under the aegis of the United Nations and the African Union, with a view to strengthening stability in the region and working out conditions that will enable everyone to enjoy the right to live peacefully within national borders;

23. *Strongly condemns* the repeated harassment of Radio Okapi staff, and demands that all parties concerned desist from such actions;

24. *Reiterates its full support* for the Special Representative of the Secretary-General and for all the dedicated Mission personnel who operate in challenging conditions;

25. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4653rd meeting.

Decision

At its 4691st meeting, on 24 January 2003, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Letter dated 15 October 2002 from the Secretary-General addressed to the President of the Security Council (S/2002/1146)".

Resolution 1457 (2003)
of 24 January 2003

The Security Council,

Recalling its resolutions 1291 (2000) of 24 February 2000, 1304 (2000) of 16 June 2000, 1323 (2000) of 13 October 2000, 1332 (2000) of 14 December 2000, 1341 (2001) of 22 February 2001, 1355 (2001) of 15 June 2001, 1376 (2001) of 9 November 2001, 1417 (2002) of 14 June 2002 and 1445 (2002) of 4 December 2002, and the statements by its President of 26 January,[22] 2 June[23] and 7 September 2000[24] and 3 May[25] and 19 December 2001,[26]

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all other States in the region,

Reaffirming also the sovereignty of the Democratic Republic of the Congo over its natural resources,

Recalling the letters dated 12 April[27] and 10 November 2001[28] and 22 May 2002[29] from the Secretary-General,

Reiterating its commitment to take appropriate action to help to put an end to the plundering of the resources of the Democratic Republic of the Congo, in support of the peace process,

Determining that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and stability in the Great Lakes region,

1. *Takes note* of the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (hereinafter "the Panel"), transmitted by the Secretary-General in his letter dated 15 October 2002;[30]

2. *Strongly condemns* the illegal exploitation of the natural resources of the Democratic Republic of the Congo;

3. *Notes with concern* that the plundering of the natural resources and other forms of wealth of the Democratic Republic of the Congo continues and that it is one of the main elements

[22] S/PRST/2000/2.
[23] S/PRST/2000/20.
[24] S/PRST/2000/28.
[25] S/PRST/2001/13.
[26] S/PRST/2001/39.
[27] S/2001/357.
[28] S/2001/1072.
[29] S/2002/565.
[30] S/2002/1146, annex.

fuelling the conflict in the region, and in this regard demands that all States concerned take immediate steps to end these illegal activities which are perpetuating the conflict, impeding the economic development of the Democratic Republic of the Congo and exacerbating the suffering of its people;

4. *Reiterates* that the natural resources of the Democratic Republic of the Congo should be exploited transparently, legally and on a fair commercial basis, to benefit the country and its people;

5. *Stresses* that the completion of the withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo as well as the early establishment of an all-inclusive Transitional Government in the country, which will ensure that central government control is reinstated and that viable administrations are empowered to protect and regulate the exploitation activities, are important steps towards ending the plundering of the natural resources of the Democratic Republic of the Congo;

6. *Stresses also* that the possible convening of an international conference on peace, security, democracy and development in the Great Lakes region at the appropriate time could help the States of the region in promoting a sound regional economic integration, to the benefit of all the States in the region;

7. *Notes* the importance of the natural resources and extractive sectors for the future of the Democratic Republic of the Congo, encourages States, international financial institutions and other organizations to assist Governments in the region in their efforts to create appropriate national structures and institutions to control the exploitation of resources, and encourages the Government of the Democratic Republic of the Congo to work closely with the international financial institutions and the donor community to establish Congolese institutional capacity to ensure that these sectors are controlled and operated in a transparent and legitimate way, so that the riches of the Democratic Republic of the Congo can benefit the Congolese people;

8. *Stresses* the importance of following up the independent findings of the Panel regarding the link between the illegal exploitation of the natural resources of the Democratic Republic of the Congo and the continuation of the conflict, stresses the importance of exerting the necessary pressure to put an end to such exploitation, notes that the reports of the Panel to date have made a useful contribution to the peace process in this regard, and therefore requests the Secretary-General to give a new mandate to the Panel for a period of six months, at the end of which the Panel should provide a report to the Security Council;

9. *Stresses also* that the new mandate of the Panel should include:

(*a*) Further review of relevant data and analysis of information previously gathered by the Panel, as well as any new information, including, specifically, material provided by individuals and entities named in the previous reports of the Panel, in order to verify, reinforce and, where necessary, update the findings of the Panel and/or to clear parties named in its previous reports, with a view to adjusting accordingly the lists attached to those reports;

(*b*) Information on actions taken by Governments in response to the previous recommendations of the Panel, including information on how capacity-building and reforms in the region are affecting exploitation activities;

(*c*) An assessment of the actions taken by all those named in the reports in respect of paragraphs 12 and 15 below;

(*d*) Recommendations on measures that a Transitional Government in the Democratic Republic of the Congo and other Governments in the region could take to develop and enhance their policies, legal framework and administrative capacity to ensure that the resources of the Democratic Republic of the Congo are exploited legally and on a fair commercial basis, to benefit the Congolese people;

10. *Requests* the Chairman of the Panel to brief the Council on any progress towards the cessation of the plundering of the natural resources of the Democratic Republic of the Congo, three months after the resumption of the work of the Panel;

11. *Invites*, in the interests of transparency, individuals, companies and States which have been named in the last report of the Panel[30] to send their reactions, with due regard to commercial confidentiality, to the Secretariat no later than 31 March 2003, and requests the Secretary-General to arrange for the publication of those reactions, upon request by individuals, companies and States named in the report of 8 October 2002, as an attachment to this report, no later than 15 April 2003;

12. *Stresses* the importance of dialogue between the Panel, individuals, companies and States, and requests in this regard that the Panel provide to the individuals, companies and States named, upon request, all information and documentation connecting them to the illegal exploitation of the natural resources of the Democratic Republic of the Congo, and requests the Panel to establish a procedure to provide to Member States, upon request, information previously collected by the Panel to help them to take the necessary investigative action, subject to the duty of the Panel to preserve the safety of its sources, and in accordance with United Nations established practice, in consultation with the Office of Legal Affairs of the Secretariat;

13. *Emphasizes* the duty of the individuals, companies and States named in the report to respect the confidentiality of the material to be given to them by the Panel so as to ensure that the safety of the sources of the Panel is preserved;

14. *Requests* the Panel to provide information to the Organisation for Economic Cooperation and Development Committee on International Investment and Multinational Enterprises and to the National Contact Points for the Organisation for Economic Cooperation and Development Guidelines for Multinational Enterprises in the States where business enterprises listed in annex III to the last report as being allegedly in contravention of the guidelines of the Organisation for Economic Cooperation and Development are registered, in accordance with United Nations established practice;

15. *Urges* all States, especially those in the region, to conduct their own investigations, including, as appropriate, through judicial means, in order to clarify credibly the findings of the Panel, taking into account the fact that the Panel, which is not a judicial body, does not have the resources to carry out an investigation whereby those findings can be considered as established facts;

16. *Notes with satisfaction*, in this regard, the decision of the Attorney General of the Democratic Republic of the Congo to start a judicial procedure, commends the decision of the Government of the Democratic Republic of the Congo to suspend momentarily the official named in the reports pending further clarification, and requests the Panel to cooperate fully with the Office of the Attorney General and to provide to that Office information it may need to conduct its investigations, subject to the duty of the Panel to preserve the safety of its sources and in accordance with United Nations established practice, in consultation with the Office of Legal Affairs;

17. *Also notes with satisfaction* the actions taken by other States, including the decision by the Government of Uganda to establish a Judicial Commission of Inquiry, urges all States concerned, and in particular the Governments of Zimbabwe and Rwanda to cooperate fully with the Panel and to investigate further the accusations made through due judicial process, and stresses the importance of collaboration between the Panel and all investigative bodies;

18. *Encourages* all organizations concerned to consider, as appropriate, the relevant recommendations contained in the reports of the Panel, and in particular encourages the organizations of specialized industries to monitor trade in commodities from conflict areas, in particular the territory of the Democratic Republic of the Congo, and to collect data in this regard, with a view to helping to put an end to the plundering of the natural resources in those areas;

19. *Encourages* the implementation of the decisions taken within the framework of the Inter-Congolese Dialogue, especially its recommendation to establish a special commission to examine the validity of economic and financial agreements in the Democratic Republic of the Congo;

20. *Expresses its full support* to the Panel, and reiterates that all parties and relevant States must extend their full cooperation to the Panel, while ensuring necessary security for the experts;

21. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4691st meeting.

Decisions

At its 4705th meeting, on 13 February 2003, the Security Council decided to invite the representatives of the Democratic Republic of the Congo and Rwanda to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, and Mr. Sergio Vieira de Mello, United Nations High Commissioner for Human Rights.

At its 4723rd meeting, on 20 March 2003, the Council considered the item entitled "The situation concerning the Democratic Republic of the Congo".

Resolution 1468 (2003)
of 20 March 2003

The Security Council,

Recalling its resolutions and the statements by its President regarding the Democratic Republic of the Congo,

Expressing its full support for the efforts of the United Nations High Commissioner for Human Rights and its appreciation of his report on the situation in Ituri,[31] and recalling the previous report on the situation in Kisangani,[32]

Welcoming the thirteenth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo,[33]

Commending the Government of Angola for its efforts in ensuring the implementation by the parties of the Luanda Agreement,[17] which establishes the basis for a settlement in the Ituri area, and expressing its gratitude to the Government of Angola for its readiness to continue these efforts,

Commending the Government of South Africa for its role in cooperation with the Special Envoy of the Secretary-General in helping the Congolese parties to reach an agreement on the transitional arrangements,

Commending the efforts of the Special Envoy of the Secretary-General, the Special Representative of the Secretary-General and their teams for helping to steer the negotiations in Pretoria to a successful conclusion,

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

[31] See S/2003/216.
[32] See S/2002/764.
[33] S/2003/211.

1. *Welcomes* the agreement reached by the Congolese parties, in Pretoria on 6 March 2003, on the transitional arrangements, commends the Congolese parties, whose responsibility it is to implement fully the commitments they have made, for their efforts in settling the outstanding issues, and calls upon them to establish as soon as possible the Transitional Government in the Democratic Republic of the Congo, and stresses that any effort to undermine or delay its establishment would be unacceptable;

2. *Condemns* the massacres and other systematic violations of international humanitarian law and human rights perpetrated in the Democratic Republic of the Congo, in particular sexual violence against women and girls as a tool of warfare and atrocities perpetrated in the Ituri area by troops of the Mouvement de libération du Congo and the Rassemblement congolais pour la démocratie-National, as well as the acts of violence recently perpetrated by the forces of the Union des patriotes congolais, and reiterates that there will be no impunity for such acts and that the perpetrators will be held accountable;

3. *Stresses* that the military officers whose names are mentioned in the report of the United Nations High Commissioner for Human Rights in connection with serious violations of international humanitarian law and human rights should be brought to justice through further investigation and, if it is warranted by that investigation, be held accountable through a credible judicial process;

4. *Calls upon* the Congolese parties, when they are selecting individuals for key posts in the Transitional Government, to take into account the commitment and record of those individuals with regard to respect for international humanitarian law and human rights and the promotion of the well-being of all Congolese;

5. *Strongly encourages* the Congolese parties forming the Transitional Government to establish as soon as possible a truth and reconciliation commission charged with determining responsibility for serious violations of international humanitarian and human rights law, as set forth in the resolutions adopted within the framework of the Inter-Congolese Dialogue held in Sun City, South Africa, in April 2002;

6. *Reiterates* that all parties claiming a role in the future of the Democratic Republic of the Congo must demonstrate their respect for human rights and international humanitarian law, as well as the security and well-being of civilian populations, and emphasizes that the Transitional Government in the Democratic Republic of the Congo will have to restore law and order and respect for human rights and end impunity, across the entire country;

7. *Requests* the Secretary-General to increase the number of personnel in the human rights component of the United Nations Organization Mission in the Democratic Republic of the Congo to assist and enhance, in accordance with its current mandate, the capacity of the Congolese parties to investigate all serious violations of international humanitarian law and human rights perpetrated on the territory of the Democratic Republic of the Congo since the beginning of the conflict in August 1998, and also requests the Secretary-General, in consultation with the High Commissioner, to make recommendations to the Security Council on other ways to help the transitional government in the Democratic Republic of the Congo to address the issue of impunity;

8. *Expresses its deep concern* over the heavy fighting in Bunia, demands that all parties to the conflict in Ituri immediately cease the hostilities and that all parties sign an unconditional ceasefire agreement, stresses that they must cooperate with the Mission to set up without further delay the Ituri Pacification Commission, and also stresses that the necessary steps must be taken to restore public order in Bunia, in accordance with the agreements reached among the Congolese parties and within the framework of the Commission;

9. *Requests* the Secretary-General to increase the presence of the Mission in the Ituri area, as security conditions permit, in particular military observers and human rights personnel to monitor developments on the ground, including the use of airfields in the Ituri area, and also requests the Mission to provide further support and assistance to humanitarian efforts, as well as to facilitate the formation of the Ituri Pacification Commission and to assist the work of the

Commission as consistent with the current mandate of the Mission, in consultation with all Congolese parties to the conflict;

10. *Encourages* the Mission in its efforts to consult with the relevant parties on possible options for addressing the immediate security situation in the Ituri area, and requests that the Mission keep the Council informed of its efforts in this regard;

11. *Demands* that all Governments in the Great Lakes region immediately cease military and financial support to all parties engaged in armed conflict in the Ituri region, stresses the need for all Congolese parties, including the Government of the Democratic Republic of the Congo, to respect their commitments under the Ceasefire Agreement signed at Lusaka on 10 July 1999,[20] as well as the Kampala plan and the Harare sub-plans for disengagement and redeployment, and reiterates that all foreign troops must be withdrawn from the territory of the Democratic Republic of the Congo;

12. *Calls upon* the Government of Uganda to complete the withdrawal of all its troops without further delay and, in this regard, expresses its concern that the commitment of that Government to withdraw by 20 March 2003 has not been met, and concerned also at the statement of 14 March 2003 issued by the Ministry for Foreign Affairs and Regional Cooperation of Rwanda, calls upon the Government of Rwanda not to return any forces to the territory of the Democratic Republic of the Congo, and stresses that any renewal of the strengthening of a foreign military presence on the territory of the Democratic Republic of the Congo would be unacceptable and would undermine the progress achieved thus far in the peace process;

13. *Expresses its deep concern* at the rising tensions between Rwanda and Uganda and their proxies on the territory of the Democratic Republic of the Congo, and stresses that the governments of those two countries must take steps to build mutual confidence, must settle their concerns through peaceful means, and without any interference in Congolese affairs, and must refrain from any action that could undermine the peace process;

14. *Demands* that all parties to the conflict in the Democratic Republic of the Congo, and in particular in Ituri, ensure the security of civilian populations and grant to the Mission and to humanitarian organizations full and unimpeded access to the populations in need;

15. *Reiterates* the demand expressed in its resolution 1460 (2003) of 30 January 2003 that all parties to the conflict provide information without delay on steps they have taken to halt the recruitment or use of children in armed conflict, in violation of the international obligations applicable to them, as well as its demands with regard to the protection of children contained in its resolutions 1261 (1999) of 25 August 1999, 1314 (2000) of 11 August 2000, 1379 (2001) of 20 November 2001 and 1460 (2003);

16. *Recalls* its demand that full and unimpeded access be granted to the Mission and the Third Party Verification Mechanism so that they could verify the implementation of the Peace Agreement signed at Pretoria on 30 July 2002 and investigate the allegations of the presence of Rwandan troops on the territory of the Democratic Republic of the Congo, as well as allegations of support by the Government of the Democratic Republic of the Congo to the armed groups in the east of the country, reiterates that both would be unacceptable and would undermine the continuation of the peace process, and stresses that any ongoing military activity in the east of the Democratic Republic of the Congo has a detrimental effect on Mission operations of disarmament, demobilization, repatriation, reintegration or resettlement of armed groups;

17. *Requests* that the Mission report as soon as possible to the Council on the results of its investigations referred to in paragraph 16 above;

18. *Expresses its support* to the broad orientations set out by the Secretary-General in paragraph 59 of his last report on the role of the Mission in support of the peace process,[33] and expresses its intention to consider his recommendations in this regard;

19. *Reiterates its full support* for the Mission and the efforts it continues to deploy to help the parties in the Democratic Republic of the Congo and in the region to advance their peace process, and stresses the importance of the Mission moving forward with its phase III deployment, in accordance with resolution 1445 (2002) of 4 December 2002;

20. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4723rd meeting.

Decisions

At its 4756th meeting, on 16 May 2003, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[34]

"The Security Council condemns the recent killings, violence and other human rights violations and atrocities in Bunia, as well as the attacks against the United Nations Organization Mission in the Democratic Republic of the Congo and the internally displaced persons who have sought refuge at the Mission premises, and reiterates that there will be no impunity for such acts and that the perpetrators will be held accountable. It demands that all hostilities in Ituri cease immediately. The fighting is unacceptable. It threatens the stability of the Ituri area and severely undermines the continuation of the peace process and the establishment of the Transitional National Government.

"The Council fully supports the work initiated by the Ituri Pacification Commission, established by the Luanda Agreement of 6 September 2002,[17] under which the Ituri interim administration was formed, encourages donors to provide additional funding and emphasizes that it is up to the various Congolese parties in Ituri to pursue an effective, inclusive political and security mechanism in this framework.

"The Council welcomes the Agreement on the Engagement to Relaunch the Ituri Pacification Process, signed in Dar es Salaam on 16 May 2003, and calls upon the parties to implement it fully and without delay.

"The Council calls upon all parties in the region to end all support to armed groups and to refrain from any action that might compromise the restoration of peace in Ituri, in particular the work of the Ituri interim administration, and reaffirms its strong commitment to the sovereignty of the Democratic Republic of the Congo over all its territory.

"The Council expresses its concern at the deteriorating humanitarian situation in Bunia and demands that all parties grant full and unimpeded access for humanitarian aid and guarantee the safety and security of humanitarian personnel. It also calls upon the donor community to continue to support the humanitarian organizations.

"The Council pays tribute to the work that has been achieved by the staff and contingents of the Mission in Ituri, in very difficult conditions, and fully supports them.

[34] S/PRST/2003/6.

"The Council welcomes the efforts by the Secretary-General to address the urgent humanitarian and security situation in Bunia, including options for sending an emergency international force, and encourages him to complete consultations to this end as a matter of urgency.

"The Council demands that all Congolese parties and regional States involved in the conflict in the Democratic Republic of the Congo refrain from any action that could undermine the possible deployment of an international force, and support the deployment."

On 21 May 2003, the President of the Security Council addressed the following letter to the Secretary-General:[35]

"I have the honour to inform you that the members of the Security Council have decided to send a mission to Central Africa from 7 to 16 June 2003, which will be led by Ambassador Jean-Marc de La Sablière. The members of the Council have agreed on the terms of reference of the mission, a copy of which is enclosed herewith (see annex).

"Following consultations with the members, it has been agreed that the composition of the mission is as follows:

"France (Ambassador Jean-Marc de La Sablière, head of mission)
"Angola (Ambassador Ismael Abraão Gaspar Martins)
"Bulgaria (Ambassador Stefan Tafrov)
"Cameroon (Ambassador Martin Chungong Ayafor)
"Chile (Ambassador Cristián Maquieira)
"China (Ambassador Zhang Yishan)
"Germany (Minister Michael Freiherr von Ungern-Sternberg)
"Guinea (Minister Counsellor Boubacar Diallo)
"Mexico (Minister María Angélica Arce de Jeannet)
"Pakistan (Ambassador Masood Khalid)
"Russian Federation (Ambassador Alexander V. Konuzin)
"Spain (Ambassador Ana María Menéndez)
"Syrian Arab Republic (Minister Counsellor Fayssal Mekdad)
"United Kingdom of Great Britain and Northern Ireland (Ambassador Adam Thomson)
"United States of America (Ambassador John D. Negroponte)

"I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

"**Annex**

"**Terms of reference of the Security Council mission to Central Africa**

"**Democratic Republic of the Congo**

"In general, the mission will emphasize to all its interlocutors the need to take the peace process forward. On this condition all, in the Democratic Republic of the Congo and in the region, may benefit from the strong support that the international community, in particular the Council, is ready to provide. The mission will accordingly invite the Congolese parties to work resolutely to implement their commitments within the framework of the Inter-Congolese Dialogue. It will clearly remind the Congolese parties and the neighbours of the Democratic Republic of the Congo of the expectations of the Council and of their obligations: complete cessation of hostilities; respect for human rights, humanitarian

[35] S/2003/558.

law and the welfare of the civilian population; economic cooperation and other confidence-building measures; withdrawal of foreign forces; no interference; cessation of support to armed groups; cessation of the plundering of the natural resources; and access for the United Nations Organization Mission in the Democratic Republic of the Congo to all parts of the territory. The mission will also press all parties to carry out fully their obligations under relevant Council resolutions, including their specific obligations to demilitarize Kisangani, to ensure the complete reopening of the Congo River to civilian traffic and to provide humanitarian organizations with full access to populations in need.

"The mission will stress to the Congolese parties and to the States in the region the value of making progress towards the convening of the proposed international conference on peace, security, democracy and development in the Great Lakes region.

"**Transition in the Democratic Republic of the Congo**

"The mission might stress:

"(*a*) The need for all Congolese parties to work for the satisfactory functioning of the Transitional Government, and for national reconciliation, reunification of the territory and cessation of hostilities;

"(*b*) The desire of the United Nations system and the Bretton Woods institutions to enhance the capacity of the future Transitional Government to ensure legal and transparent exploitation of the natural resources of the Democratic Republic of the Congo for the benefit of the Congolese people and to put an end to the repeated plundering described by the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo;

"(*c*) The priority to be given by the Transitional Government to the establishment of institutions responsible for security and law and order (army, police and judiciary);

"(*d*) The necessity for the Transitional Government to support local initiatives for pacification and reconciliation (Ituri, the Kivus).

"**Role of the United Nations Organization Mission in the Democratic Republic of the Congo**

"On the basis of the report of the Secretary-General on adjusting the concept of the United Nations Organization Mission in the Democratic Republic of the Congo,[36] the Council mission will evaluate:

"(*a*) Requirements for taking forward the indispensable process of the disarmament, demobilization, repatriation, resettlement and reintegration of the foreign armed groups;

"(*b*) The support of the Mission, in collaboration with bilateral partners, in building Congolese security capacities;

"(*c*) Ways and means for the Mission to assist, in collaboration with other entities of the United Nations and the wider international community, in ensuring security in Kinshasa, the establishment of law and order, the restoration of stability and respect for human rights throughout the country, in particular in Ituri and the Kivus;

"(*d*) The issue of mutual security for the Democratic Republic of the Congo and its neighbours, in particular in border areas, and the scope for any possible contribution by the Mission to addressing this matter;

[36] S/2002/1005

"(*e*) The cooperation of the parties with the Mission and United Nations humanitarian agencies, especially with regard to freedom of movement and unimpeded access;

"(*f*) Other possible areas of the Mission support for the transition.

"**Burundi**

"The mission will express the support of the Security Council for the second phase of the transition and for the new President, the regional mediators and the African peacekeeping mission, as well as the Arusha Agreement Implementation Monitoring Committee and the Joint Ceasefire Commission.

"The mission will assess what could be the relationship between the United Nations and the African peacekeeping mission.

"With all the political parties and armed groups, the mission will stress that:

"(*a*) There is no alternative to the path laid out in the Arusha peace process;

"(*b*) Signing peace and ceasefire agreements is not the end state and that there is now a need to work with the new President and the Transitional Government to implement those agreements;

"(*c*) There is a need for the Burundian parties to engage actively in dialogue in order to agree upon the difficult issues of disarmament, demobilization and reintegration and security-sector reform."

On 22 May 2003, the President of the Security Council addressed the following letter to the Secretary-General:[37]

"I have the honour to inform you that your letter dated 16 May 2003 concerning your intention to appoint Mr. William Lacy Swing, of the United States of America, as your Special Representative for the Democratic Republic of the Congo, effective 1 July 2003,[38] has been brought to the attention of the members of the Security Council. They take note of the information and intention contained in your letter."

At its 4764th meeting, on 30 May 2003, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

Resolution 1484 (2003)
of 30 May 2003

The Security Council,

Recalling its resolutions and the statements by its President on the Democratic Republic of the Congo, in particular the statement of 16 May 2003,[34]

Determined to promote the peace process at the national level, in particular to facilitate the early establishment of an inclusive Transitional Government in the Democratic Republic of the Congo,

Expressing its utmost concern at the fighting and atrocities in Ituri, as well as the gravity of the humanitarian situation in the town of Bunia,

[37] S/2003/563.
[38] S/2003/562.

Reaffirming its full support for the political process initiated by the Ituri Pacification Commission, calling for its swift resumption and for the establishment of an effective, inclusive security mechanism within this framework, to complement and support the existing Ituri interim administration,

Recognizing the urgent need for a secure base to allow the full functioning of the institutions of the Ituri interim administration, and recognizing that the Agreement on the Engagement to Relaunch the Ituri Pacification Process, signed in Dar es Salaam on 16 May 2003, reaffirms the commitment of the Ituri parties to the Ituri interim administration, and commits them to join a process of cantonment and demilitarization,

Commending the United Nations Organization Mission in the Democratic Republic of the Congo for its efforts to stabilize the situation in Bunia and to support the political process in Ituri, in particular the effective performance of the Uruguayan contingent deployed there, recognizing the need to support the work of the Mission in the field, and deploring attacks on the Mission and the consequent loss of life,

Taking note of the request of the Secretary-General addressed to the Security Council in his letter dated 15 May 2003,[19] and taking note also of the support for this request expressed in the letter to the Secretary-General from the President of the Democratic Republic of the Congo, and also by the Ituri parties on 16 May 2003 in Dar es Salaam, as well as the support expressed in the letters to the Secretary-General from the President of the Rwandese Republic and from the Minister of State for Foreign Affairs of Uganda, as requested by the Secretary-General, for the deployment of a multinational force in Bunia,

Determining that the situation in the Ituri region, in Bunia in particular, constitutes a threat to the peace process in the Democratic Republic of the Congo and to peace and security in the Great Lakes region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Authorizes* the deployment, until 1 September 2003, of an Interim Emergency Multinational Force in Bunia in close coordination with the United Nations Organization Mission in the Democratic Republic of the Congo, in particular its contingent currently deployed in the town, to contribute to the stabilization of the security conditions and the improvement of the humanitarian situation in Bunia, to ensure the protection of the airport and of the internally displaced persons in the camps in Bunia and, if the situation requires it, to contribute to the safety of the civilian population, United Nations personnel and the humanitarian presence in the town;

2. *Stresses* that this Multinational Force is to be deployed on a strictly temporary basis to allow the Secretary-General to reinforce the presence of the Mission in Bunia, and in this regard authorizes the Secretary-General to deploy, within the overall ceiling authorized for the Mission, a reinforced United Nations presence to Bunia, and requests him to do so by mid-August 2003;

3. *Calls upon* Member States to contribute personnel, equipment and other necessary financial and logistic resources to the Multinational Force, and invites contributing Member States to so inform the leadership of the Force and the Secretary-General;

4. *Authorizes* the Member States participating in the Multinational Force in Bunia to take all necessary measures to fulfil its mandate;

5. *Demands* that all parties to the conflict in Ituri, in particular in Bunia, cease hostilities immediately, and reiterates that international humanitarian law must be respected and that there will be no impunity for violators;

6. *Strongly condemns* the deliberate killing of unarmed personnel of the Mission and staff of humanitarian organizations in Ituri, and demands that the perpetrators be brought to justice;

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[19] S/2003/574.

7. *Demands* that all Congolese parties and all States in the Great Lakes region respect human rights, cooperate with the Multinational Force and with the Mission in the stabilization of the situation in Bunia and provide assistance, as appropriate, that they provide full freedom of movement to the Force and that they refrain from any military activity or from any activity that could further destabilize the situation in Ituri, and in this regard demands also the cessation of all support, in particular weapons and any other military materiel, to the armed groups and militias, and demands further that all Congolese parties and all States in the region actively prevent the supply of such support;

8. *Calls upon* all Member States, in particular those in the Great Lakes region, to provide all necessary support to facilitate the swift deployment in Bunia of the Multinational Force;

9. *Requests* the leadership of the Multinational Force in Bunia to report regularly to the Security Council, through the Secretary-General, on the implementation of its mandate;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4764th meeting.

Decision

At its 4780th meeting, on 26 June 2003, the Security Council considered the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Second special report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2003/566 and Corr.1)".

Resolution 1489 (2003)
of 26 June 2003

The Security Council,

Recalling its resolution 1291 (2000) of 24 February 2000 and other relevant resolutions concerning the United Nations Organization Mission in the Democratic Republic of the Congo, especially resolutions 1468 (2003) of 20 March 2003 and 1484 (2003) of 30 May 2003,

Reaffirming its commitment to the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all States of the region,

Deeply concerned over the continuation of hostilities in the eastern part of the Democratic Republic of the Congo, in particular in the province of North Kivu,

Taking note of the second special report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, of 27 May 2003, and the recommendations contained therein,[40]

Reaffirming its readiness to support the peace and national reconciliation process, in particular through the United Nations Organization Mission in the Democratic Republic of the Congo, in accordance with resolution 1291 (2000),

1. *Decides* to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo until 30 July 2003;

2. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4780th meeting.

[40] S/2003/566 and Corr.1.

Decisions

At its 4784th meeting, on 7 July 2003, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Letter dated 25 June 2003 from the Secretary-General addressed to the President of the Security Council (S/2003/674)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, and Mr. Bertrand Gangapersaud Ramcharan, United Nations Deputy High Commissioner for Human Rights and Officer-in-Charge of the Office of the High Commissioner for Human Rights.

At its 4790th meeting, on 18 July 2003, the Council decided to invite the representatives of Bangladesh, Brazil, the Democratic Republic of the Congo, Egypt, Indonesia, Italy, Japan, Nepal, the Philippines, Rwanda and South Africa to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, and Mr. Amos Namanga Ngongi, former Special Representative of the Secretary-General for the Democratic Republic of the Congo.

At the same meeting, in response to the request dated 14 July 2003 from the Permanent Representative of Italy to the United Nations addressed to the President of the Security Council,[41] the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Javier Solana, Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union.

At its 4797th meeting, on 28 July 2003, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Second special report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2003/566 and Corr.1)".

Resolution 1493 (2003) of 28 July 2003

The Security Council,

Recalling its resolutions and the statements by its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to respect for the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all the States of the region,

Reaffirming the obligations of all States to refrain from the use of force against the territorial integrity and political independence of any State or in any other manner incompatible with the purposes and principles of the United Nations,

[41] Document S/2003/709, incorporated in the record of the 4790th meeting.

Concerned by the continued illegal exploitation of the natural resources of the Democratic Republic of the Congo, and reaffirming in this regard its commitment to respect for the sovereignty of the Democratic Republic of the Congo over its natural resources,

Welcoming the conclusion of the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, signed in Pretoria on 17 December 2002, and the subsequent establishment of the Government of National Unity and Transition,

Deeply concerned by the continuation of hostilities in the eastern part of the Democratic Republic of the Congo, particularly in North and South Kivu and in Ituri, and by the grave violations of human rights and international humanitarian law that accompany them,

Recalling that it is incumbent upon all parties to cooperate in the overall deployment of the United Nations Organization Mission in the Democratic Republic of the Congo,

Renewing its support to the Interim Emergency Multinational Force deployed in Bunia, and stressing the need to ensure effective and timely replacement of the Force, as requested in resolution 1484 (2003) of 30 May 2003, to contribute in the best way to the stabilization of Ituri,

Taking note of the second special report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, of 27 May 2003, and of the recommendations contained therein,[40]

Taking note also of the report of the Security Council mission to Central Africa, of 17 June 2003,[42]

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Expresses satisfaction* at the promulgation, on 4 April 2003, of the Transitional Constitution in the Democratic Republic of the Congo and at the formation, announced on 30 June 2003, of the Government of National Unity and Transition, encourages the Congolese parties to take the necessary decisions in order to allow the transitional institutions to begin functioning effectively, and encourages them also in this regard to include representatives of the interim institutions that emerged from the Ituri Pacification Commission in the transitional institutions;

2. *Decides* to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo until 30 July 2004;

3. *Notes with appreciation* the recommendations contained in the second special report of the Secretary-General,[40] and authorizes increasing the military strength of the Mission to 10,800 personnel;

4. *Requests* the Secretary-General to ensure through his Special Representative for the Democratic Republic of the Congo, who convenes the International Committee in support of the Transition, the coordination of all the activities of the United Nations system in the Democratic Republic of the Congo and to facilitate coordination with other national and international actors of activities in support of the transition;

5. *Encourages* the Mission, in coordination with United Nations agencies, donors and non-governmental organizations, to provide assistance during the transition period for the reform of the security forces, the re-establishment of a State based on the rule of law and the preparation and holding of elections, throughout the territory of the Democratic Republic of the Congo, and

[42] S/2003/653.

welcomes in this regard the efforts of the Member States to support the transition and national reconciliation;

6. *Approves* the temporary deployment of Mission personnel intended, during the first months of the establishment of the transitional institutions, to participate in a multi-layer security system in Kinshasa in accordance with paragraphs 35 to 38 of the second special report of the Secretary-General, approves also the reconfiguration of the civilian police component of the Mission as outlined in paragraph 42 of that report, and encourages the Mission to continue to support police development in areas of urgent need;

7. *Encourages* donors to support the establishment of an integrated Congolese police unit and approves the provision by the Mission of the additional assistance that might be needed for its training;

8. *Strongly condemns* the acts of violence systematically perpetrated against civilians, including the massacres, as well as other atrocities and violations of international humanitarian law and human rights, in particular sexual violence against women and girls, stresses the need to bring to justice those responsible, including those at the command level, and urges all parties, including the Government of the Democratic Republic of the Congo, to take all necessary steps to prevent further violations of human rights and international humanitarian law, in particular those committed against civilians;

9. *Reaffirms* the importance of a gender perspective in peacekeeping operations in accordance with resolution 1325 (2000) of 31 October 2000, recalls the need to address violence against women and girls as a tool of warfare, and in this respect encourages the Mission to continue to actively address this issue, and calls upon the Mission to increase the deployment of women as military observers as well as in other capacities;

10. *Reaffirms also* that all Congolese parties have an obligation to respect human rights, international humanitarian law and the security and well-being of the civilian population;

11. *Urges* the Government of National Unity and Transition to ensure that the protection of human rights and the establishment of a State based on the rule of law and of an independent judiciary are among its highest priorities, including the establishment of the necessary institutions as reflected in the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, encourages the Secretary-General, through his Special Representative, and the United Nations High Commissioner for Human Rights to coordinate their efforts, in particular to assist the transitional authorities of the Democratic Republic of the Congo in order to put an end to impunity, and encourages also the African Union to play a role in this regard;

12. *States that it is profoundly preoccupied* by the humanitarian situation throughout the country, in particular in the eastern regions, and demands that all parties guarantee the security of the civilian population, thereby enabling the Mission and humanitarian organizations to have total, unrestricted and immediate access to the population groups in need;

13. *Strongly condemns* the continued recruitment and use of children in the hostilities in the Democratic Republic of the Congo, especially in North and South Kivu and in Ituri, and reiterates the request addressed to all parties in Security Council resolution 1460 (2003) of 30 January 2003 to provide the Special Representative of the Secretary-General with information on the measures they have taken to put an end to the recruitment and use of children in their armed components, as well as the requests concerning the protection of children set forth in resolution 1261 (1999) of 25 August 1999 and subsequent resolutions;

14. *Strongly condemns also* the continuing armed conflict in the eastern part of the Democratic Republic of the Congo, especially the serious ceasefire violations that occurred recently in North and South Kivu, including in particular the offensives by the Rassemblement congolais pour la démocratie-Goma, demands that all parties, in compliance with the Acte d' Engagement for the cessation of hostilities in the eastern and north-eastern Democratic Republic of the Congo, signed in Bujumbura on 19 June 2003, establish without delay or precondition the

full cessation of hostilities and withdraw to the positions agreed to in the Kampala plan and the Harare sub-plans for disengagement and redeployment, and that they refrain from any provocative action;

15. *Demands* that all parties desist from any interference with freedom of movement of United Nations personnel, recalls that all parties have the obligation to provide full and unhindered access to the Mission to allow it to carry out its mandate, and asks the Special Representative of the Secretary-General to report any failure to comply with this obligation;

16. *Expresses concern* at the fact that the continuing hostilities in the eastern part of the Democratic Republic of the Congo are seriously compromising Mission action in the process of the disarmament, demobilization, repatriation, reintegration or resettlement of the foreign armed groups referred to in chapter 9.1 of annex A to the Ceasefire Agreement signed at Lusaka on 10 July 1999,[20] urges all parties concerned to cooperate with the Mission, and underscores the importance of making rapid and appreciable progress in that process;

17. *Authorizes* the Mission to assist the Government of National Unity and Transition in disarming and demobilizing those Congolese combatants who may voluntarily decide to enter the disarmament, demobilization and reintegration process within the framework of the Multi-Country Demobilization and Reintegration Programme, pending the establishment of a national disarmament, demobilization and reintegration programme in coordination with the United Nations Development Programme and other agencies concerned;

18. *Demands* that all States, in particular those in the region, including the Democratic Republic of the Congo, ensure that no direct or indirect assistance, especially military or financial assistance, is given to the movements and armed groups present in the Democratic Republic of the Congo;

19. *Demands also* that all parties provide full access to military observers from the Mission, including in ports, airports, airfields, military bases and border crossings, and requests the Secretary-General to deploy military observers from the Mission in North and South Kivu and in Ituri and to report to the Council regularly on the position of the movements and armed groups and on information concerning arms supply and the presence of foreign military, especially by monitoring the use of landing strips in that region;

20. *Decides* that all States, including the Democratic Republic of the Congo, shall, for an initial period of twelve months from the adoption of the present resolution, take the necessary measures to prevent the direct or indirect supply, sale or transfer, from their territories or by their nationals, or using their flag vessels or aircraft, of arms and any related materiel, and the provision of any assistance, advice or training related to military activities, to all foreign and Congolese armed groups and militias operating in the territory of North and South Kivu and of Ituri, and to groups not party to the Global and All-Inclusive Agreement, in the Democratic Republic of the Congo;

21. *Decides also* that the measures imposed by paragraph 20 above shall not apply to:

(*a*) Supplies to the Mission, the Interim Emergency Multinational Force deployed in Bunia and the integrated Congolese national army and police forces;

(*b*) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance and training as notified in advance to the Secretary-General through his Special Representative;

22. *Decides further* that, at the end of the initial twelve months, the Council will review the situation in the Democratic Republic of the Congo, in particular in the eastern part of the country, with a view to renewing the measures stipulated in paragraph 20 above if no significant progress has been made in the peace process, in particular an end to support for armed groups, an effective ceasefire and progress in the disarmament, demobilization, repatriation, reintegration or resettlement by foreign and Congolese armed groups;

23. *Expresses its determination* closely to monitor compliance with the measures laid down in paragraph 20 above and to consider steps that are necessary to ensure the effective monitoring and implementation of those measures, including the possible establishment of a monitoring mechanism;

24. *Urges* the States neighbouring the Democratic Republic of the Congo, particularly Rwanda and Uganda, which have an influence over movements and armed groups operating in the territory of the Democratic Republic of the Congo, to exercise a positive influence on them to settle their disputes by peaceful means and join in the process of national reconciliation;

25. *Authorizes* the Mission to take the necessary measures in the areas of deployment of its armed units, and as it deems it within its capabilities:

(*a*) To protect United Nations personnel, facilities, installations and equipment;

(*b*) To ensure the security and freedom of movement of its personnel, including in particular those engaged in missions of observation, verification or disarmament, demobilization, repatriation, reintegration or resettlement;

(*c*) To protect civilians and humanitarian workers under imminent threat of physical violence;

(*d*) To contribute to the improvement of the security conditions in which humanitarian assistance is provided;

26. *Also authorizes* the Mission to use all necessary means to fulfil its mandate in the Ituri district and, as it deems it within its capabilities, in North and South Kivu;

27. *Requests* the Secretary-General to deploy in the Ituri district, as soon as possible, the tactical brigade-size force whose concept of operations is set out in paragraphs 48 to 54 of his second special report, including the reinforced presence of the Mission in Bunia, by mid-August 2003 as requested in resolution 1484 (2003), particularly with a view to helping to stabilize the security conditions, improving the humanitarian situation, ensuring the protection of airfields and displaced persons living in camps and, if the circumstances warrant it, helping to ensure the security of the civilian population and the personnel of the United Nations and the humanitarian organizations in Bunia and its environs and eventually, as the situation permits, in other parts of Ituri;

28. *Condemns categorically* the illegal exploitation of the natural resources and other sources of wealth of the Democratic Republic of the Congo, and expresses its intention to consider means that could be used to end it, awaits with interest the report to be submitted shortly by the Panel of Experts on such illegal exploitation and on the link that exists between it and the continuation of hostilities, and demands that all parties and interested States offer full cooperation to the Panel;

29. *Encourages* the Governments of the Democratic Republic of the Congo, Rwanda, Uganda and Burundi to take steps to normalize their relations and to cooperate in ensuring mutual security along their common borders, and invites these Governments to conclude good-neighbourly agreements among themselves;

30. *Reaffirms* that an international conference on peace, security, democracy and development in the Great Lakes region of Africa, with the participation of all the Governments of the region and all other parties concerned, should be organized at the appropriate time under the aegis of the United Nations and the African Union, with a view to strengthening stability in the region and working out conditions that will enable everyone to enjoy the right to live peacefully within national borders;

31. *Reiterates its support unreservedly* for the Special Representative of the Secretary-General and for all Mission personnel, and for the efforts they continue to make to assist the parties in the Democratic Republic of the Congo and in the region to advance the peace process;

32. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4797th meeting.

THE SITUATION IN GUINEA-BISSAU[43]

Decisions

On 9 August 2002, the President of the Security Council addressed the following letter to the Secretary-General:[44]

> "I have the honour to inform you that your letter dated 5 August 2002 concerning your proposal that the current mandate of the United Nations Peace-building Support Office in Guinea-Bissau, which expires on 31 December 2002, be extended to 31 December 2003[45] has been brought to the attention of the members of the Security Council. They take note of the proposal contained in your letter."

On 5 May 2003, the President of the Security Council addressed the following letter to the Secretary-General:[46]

> "I have the honour to inform you that the members of the Security Council have decided to send a mission to the West African subregion from 15 to 23 May 2003. The members have agreed upon the terms of reference of the mission, a copy of which is enclosed herewith (see annex).
>
> "I should be grateful if you would have this letter and the annex thereto circulated as a document of the Security Council.

"**Annex**

"**Security Council mission to West Africa: objectives**

"**Regional**

"Demonstrate continuing Security Council interest in the subregion

"Encourage more cooperation among countries of the subregion (e.g., the Mano River Union and the Economic Community of West African States); assess follow-up to the summit meeting of the Mano River Union Presidents held in Rabat on 27 February 2002; and identify any obstacles to improved cooperation

"Review the activities of the Office of the Special Representative of the Secretary-General for West Africa

"Examine the links between the conflicts in Liberia, Côte d'Ivoire and Sierra Leone and their impact on neighbouring countries (including mercenaries, arms trafficking and refugees)

"Assess progress towards achieving the objectives of the Council regarding the protection of civilians and children affected by armed conflict

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[43] Resolutions or decisions on this question were also adopted by the Security Council in the years 1998, 1999, 2000 and 2001 and during the period from 1 January to 31 July 2002.

[44] S/2002/917.

[45] S/2002/916.

[46] S/2003/525.

"Emphasize the need for all countries to respect their obligations with regard to human rights and international humanitarian law

"**Sierra Leone**

"Assess the success of the United Nations Mission in Sierra Leone in building security in Sierra Leone and its impact on the protection of civilians

"Assess progress in the drawdown of the Mission and the ability of the Sierra Leone police and armed forces to provide security as it withdraws

"Assess the transition from peacekeeping to longer-term development

"Examine how the Special Court and the Truth and Reconciliation Commission are addressing justice and reconciliation

"**Liberia**

"Urge the Government of Liberia and Liberians United for Reconciliation and Democracy and any other armed rebel groups to engage in ceasefire negotiations and to implement Security Council resolutions

"Call upon the Government of Liberia to enhance its cooperation with neighbouring countries

"Assess how the Government has responded to the proposals of the Council for resolving the crisis, including an assessment of the chances of free and fair elections

"Assess the impact and effectiveness of the United Nations Peace-building Office in Liberia, how it works with the operational parts of the United Nations country team, and the expectations of the Government of Liberia with regard to the new mandate of the Office

"**Côte d'Ivoire**

"Urge all parties to respect fully all the provisions of the ceasefire

"Urge the Government and all the parties to implement fully the Linas-Marcoussis Agreement[47]

"Discuss with the Special Representative of the Secretary-General, Mr. Albert Tevoedjre, progress with regard to the United Nations Mission in Côte d'Ivoire

"Emphasize the need for respect for human rights by all parties

"Consider how to tackle the problem of insecurity in western Côte d' Ivoire

"**Guinea-Bissau**

"Urge the Government and President Kumba Yalá to ensure that the forthcoming elections are conducted in a transparent, fair and credible manner and to take the necessary confidence-building steps required of them

"Urge the Government to endorse the partnership approach defined by the Economic and Social Council Ad Hoc Advisory Group on Guinea-Bissau".

At its 4776th meeting, on 19 June 2003, the Council decided to invite the representatives of the Gambia and Guinea-Bissau to participate, without vote, in the discussion of the item entitled:

[47] S/2003399, annex.

"The situation in Guinea-Bissau

"Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peace-building Support Office in that country (S/2003/621)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. David Stephen, Representative of the Secretary-General and Head of the United Nations Peace-building Support Office in Guinea-Bissau, and Mr. Dumisani Kumalo, Chairman of the Economic and Social Council Ad Hoc Advisory Group on Guinea-Bissau.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[48]

"The Security Council, recalling its previous statements on Guinea-Bissau, including the statement by its President of 29 November 2000,[49] having considered the report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peace-building Support Office in that country,[50] and anticipating the Council mission to Guinea-Bissau, expresses its concern with regard to the fragile political situation in Guinea-Bissau, to the persistent economic and social crisis and to continuing disturbing information regarding the human rights situation. It urges the leaders of the country, and the international community, to work more purposefully together to ensure that the development, humanitarian and peace-building agendas are quickly put back on track.

"The Council appeals to the President and the Government of Guinea-Bissau to organize effectively and in a timely manner the forthcoming legislative elections and to ensure that these elections are conducted in a transparent, fair and credible manner, in accordance with the Constitution and the electoral laws. It is the expectation of the Council that neither candidates nor political parties will be subjected to violence and intimidation and that the presence of international observers at these elections will be acceptable to all parties. The Council also expresses the hope that, following the successful conduct of the elections, the Government will embark upon additional concrete measures to show further proof of its commitment to democracy and the rule of law by promulgating the new Constitution and by having the President and Vice-President of the Supreme Court duly elected without further delay.

"The Council calls upon the Government of Guinea-Bissau to take the necessary steps to facilitate a constructive dialogue with the international community and the Bretton Woods institutions and to endorse fully the partnership approach defined by the Economic and Social Council Ad Hoc Advisory Group on Guinea-Bissau.

"The Council appeals to the donor community to contribute financially to the implementation of the political and economic process in Guinea-Bissau, including necessary support for the legislative elections.

"The Council expresses its concern with regard to the situation of human rights and civil liberties and urges the Government of Guinea-Bissau to take the necessary measures in order to improve this situation. It stresses the importance of full respect for freedom of speech and freedom of the press.

"The Council acknowledges the importance of the regional dimension in the solution of the problems faced by Guinea-Bissau and, in that regard, calls upon the Economic

[48] S/PRST/2003/8.

[49] S/PRST/2000/37.

[50] S/2003/621.

Community of West African States and the Organization of Portuguese-Speaking African Countries to further strengthen their involvement, and expresses its intention to intensify its cooperation with these organizations.

"The Council welcomes the willingness of President Kumba Yalá to host negotiations on the issue of Casamance and appeals to him to continue to cooperate constructively with the Government of Senegal in order to contribute to a solution of this issue.

"The Council recognizes and commends the important role played by the Representative of the Secretary-General as well as by the United Nations country team towards helping to consolidate peace, democracy and the rule of law, and expresses its appreciation for their activities.

"The Council expresses its full support to the forthcoming mission to Guinea-Bissau, which will be led by the Permanent Representative of Mexico to the United Nations and will be the first part of an overall mission to West Africa, and looks forward to its conclusions and recommendations.

"The Council expresses its intention to keep the situation in Guinea-Bissau under regular review."

ITEMS RELATING TO THE SITUATION IN THE CENTRAL AFRICAN REPUBLIC

A. The situation in the Central African Republic[51]

Decisions

On 12 August 2002, the President of the Security Council addressed the following letter to the Secretary-General:[52]

"I have the honour to inform you that, as you had requested, your letter dated 6 August 2002 concerning your proposal to extend the mandate of the United Nations Peace-building Support Office in the Central African Republic, which expires on 31 December 2002, for an additional year until 31 December 2003[53] has been brought to the attention of the members of the Security Council. They take note of the proposal contained in your letter."

At its 4627th meeting, on 18 October 2002, the Council decided to invite the representative of the Central African Republic to participate, without vote, in the discussion of the item entitled "The situation in the Central African Republic".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[54]

"The Security Council welcomes the holding of the Summit of the Central African Economic and Monetary Community, in Libreville on 2 October 2002, to consider the situation between the Central African Republic and the Republic of Chad. It commends the leading role played by the President of the Gabonese Republic, El Hadj Omar Bongo, in

[51] Resolutions or decisions on this question were also adopted by the Security Council in the years from 1997 to 2001 and during the period from 1 January to 31 July 2002.

[52] S/2002/930.

[53] S/2002/929.

[54] S/PRST/2002/28.

organizing that meeting. It welcomes the undertaking by the Central African Republic and Chad to relaunch cooperation at various levels. It strongly supports the intention of the President of the Republic of Chad to visit Bangui in the very near future. It encourages further confidence-building measures to help to normalize relations between the two countries.

"The Council also welcomes the readiness expressed by the African Union to continue to contribute towards ongoing efforts to normalize relations between the Central African Republic and Chad and to promote peace and stability in the Central African region, as stipulated in the Communiqué of the Eighty-Fifth Ordinary Session of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution held at the Ambassadorial Level, which was issued on 11 October 2002 in Addis Ababa.

"The Council further welcomes the final communiqué of the Libreville summit.[55] In particular, it expresses its full support for the decision to deploy in the Central African Republic an International Observation Force of 300 to 350 troops from Gabon, Cameroon, the Congo, Equatorial Guinea and Mali, with three main tasks: ensuring the safety of the President of the Central African Republic; observing and ensuring security on the border between Chad and the Central African Republic; and participating in the restructuring of the Central African Armed Forces.

"The Council expresses once again its strong support for the Representative of the Secretary-General for the Central African Republic, General Lamine Cissé, whose efforts have been essential in this initiative. It encourages him to continue to provide advice to the Governments taking part in it.

"The Council calls upon Member States participating in the Force to work in close consultation with the Representative of the Secretary-General and the United Nations Peace-building Support Office in the Central African Republic. It requests the Secretary-General, through his Representative, to establish appropriate liaison with the Force.

"The Council encourages all Member States to provide financial, logistical and material support to the Member States participating in the Force.

"The Council invites the leadership of the Force to provide periodic reports, at least once every three months."

At its 4658th meeting, held in private on 9 December 2002, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4658th meeting, held in private on 9 December 2002, the Security Council considered the item entitled 'The situation in the Central African Republic'.

"The President, with the consent of the Council, invited the Prime Minister of the Central African Republic, Mr. Martin Ziguele, to participate in the discussion of the item, without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"The members of the Council and the Prime Minister of the Central African Republic had a constructive discussion."

[55] S/2002/1113, annex.

B. Letter dated 29 November 2002 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council

Decision

At its 4659th meeting, held in private on 9 December 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4659th meeting, held in private on 9 December 2002, the Security Council considered the item entitled 'Letter dated 29 November 2002 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council (S/2002/1317)'.

"The President, with the consent of the Council, invited the representative of Chad, at his request, to participate in the discussion of the item, without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"The members of the Council and the representative of Chad had a constructive discussion."

THE SITUATION IN TIMOR-LESTE[56]

Decisions

At its 4598th meeting, held in private on 13 August 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4598th meeting, held in private on 13 August 2002, the Security Council considered the item entitled 'The situation in East Timor'.

"The President, with the consent of the Council, invited the representatives of Brazil, India, Indonesia, Japan and Portugal, at their request, to participate in the discussion of the item, without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"The President, with the consent of the members of the Council, invited Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations, to participate in the discussion of the item in accordance with rule 39 of the provisional rules of procedure of the Council.

"The Council heard a briefing under rule 39 of its provisional rules of procedure by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"Mr. Annabi, the members of the Council and the representatives invited under rule 37 of the provisional rules of procedure of the Council had a constructive exchange of views."

At its 4646th meeting, on 14 November 2002, the Council decided to invite the representatives of Australia, Chile, Denmark, Fiji, India, Indonesia, Japan, New Zealand, Portugal,

[56] Resolutions or decisions on this question were also adopted by the Security Council in the years 1975, 1976 and 1999 to 2001 and during the period from 1 January to 31 July 2002. As from the 4646th meeting, held on 14 November 2002, the item "The situation in East Timor" was revised to read "The situation in Timor-Leste".

the Republic of Korea, Thailand, Timor-Leste and Ukraine to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

"Report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2002/1223)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kamalesh Sharma, Special Representative of the Secretary-General for Timor-Leste.

At its 4715th meeting, on 10 March 2003, the Council decided to invite the representatives of Australia, Indonesia, Japan, Portugal and Timor-Leste to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

"Special report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2003/243)"

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 4735th meeting, on 4 April 2003, the Council decided to invite the representative of Timor-Leste to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

"Special report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2003/243)".

Resolution 1473 (2003) of 4 April 2003

The Security Council,

Reaffirming its previous resolutions on the situation in Timor-Leste, in particular resolution 1410 (2002) of 17 May 2002,

Reiterating its full support for the Special Representative of the Secretary-General and the United Nations Mission of Support in East Timor,

Welcoming the progress that Timor-Leste has achieved with the assistance of the Mission since independence,

Noting the continued existence of challenges to the security and stability of Timor-Leste,

Stressing that improving the overall capabilities of the Timor-Leste police force is a key priority,

Having considered the special report of the Secretary-General on the Mission of 3 March 2003,[57]

Having considered also the letter dated 28 March 2003 from the Under-Secretary-General for Peacekeeping Operations addressed to the members of the Security Council,[58]

[57] S/2003/243.

[58] S/2003/379, annex.

1. *Decides* that the composition and strength of the police component of the United Nations Mission of Support in East Timor and the schedule for its downsizing shall be adjusted in line with paragraphs 33 and 35 of the special report of the Secretary-General[57] and shall include the following specific measures:

(*a*) The inclusion of an internationally formed unit for one year;

(*b*) The provision of additional training capacity in key areas specified in the special report of the Secretary-General;

(*c*) Greater emphasis on human rights and rule of law elements;

(*d*) The retention of a greater monitoring and advisory presence in districts where policing authority has been handed over to the Timor-Leste police force;

(*e*) Follow-up to the recommendations outlined in the report of the joint assessment mission on policing of November 2002;

(*f*) Adjustment of planning for the gradual transfer of policing authority to the Timor-Leste police force;

2. *Also decides* that the schedule for the downsizing of the military component of the Mission for the period until December 2003 shall be adjusted in line with the letter dated 28 March 2003 from the Under-Secretary-General for Peacekeeping Operations addressed to the members of the Security Council;[58] and, accordingly, that two battalions shall be retained within regions adjoining the Tactical Coordination Line during this period, together with associated force elements, including mobility; and that the number of military peacekeepers shall be reduced to 1,750 more gradually than was foreseen in resolution 1410 (2002);

3. *Requests* the Secretary-General to provide by 20 May 2003 for the approval of the Council a detailed military strategy for the revised schedule for the downsizing of the military component of the Mission;

4. *Also requests* the Secretary-General to keep the Council closely and regularly informed of developments on the ground and the implementation of the revised military and police strategies;

5. *Requests* the Government of Timor-Leste to continue to work closely with the Mission, including in the implementation of the revised police and military strategies;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 4735th meeting.

Decisions

At its 4744th meeting, on 28 April 2003, the Security Council decided to invite the representatives of Australia, Brazil, Fiji, Indonesia, Japan, New Zealand, Portugal and Timor-Leste to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

"Report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2003/449)"

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kamalesh Sharma, Special Representative of the Secretary-General for Timor-Leste and Head of the United Nations Mission of Support in East Timor.

At its 4758th meeting, on 19 May 2003, the Council decided to invite the representative of Timor-Leste to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

"Report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2003/449)".

Resolution 1480 (2003)
of 19 May 2003

The Security Council,

Reaffirming its previous resolutions on Timor-Leste, in particular resolutions 1410 (2002) of 17 May 2002 and 1473 (2003) of 4 April 2003,

Commending the efforts of the people and Government of Timor-Leste and the progress achieved in developing the institutions of an independent State and in promoting a stable, equitable society based on democratic values and respect for human rights,

Commending also the work of the United Nations Mission of Support in East Timor, under the leadership of the Special Representative of the Secretary-General, in assisting the Government of Timor-Leste in developing the nation's infrastructure, public administration, law enforcement and defence capacities, and in planning for the completion of the mandate of the Mission, including through the creation of a mission liquidation task force,

Stressing that improving the overall capabilities of the Timor-Leste police force is a key priority,

Welcoming the continuing progress in developing a positive bilateral relationship between the Governments of Timor-Leste and Indonesia, which is crucial for the future stability of Timor-Leste, and encouraging continued efforts by both Governments to secure agreement on the issue of border demarcation, to promote security in the border area, to facilitate the resettlement of East Timorese remaining in West Timor, and to bring to justice those responsible for serious crimes committed in 1999,

Recognizing the importance of continued efforts to transfer skills and authority from the Mission to the Government of Timor-Leste in a coordinated and structured manner in the run-up to the withdrawal of the Mission, with the aim of helping to ensure the long-term security and stability of Timor-Leste,

Noting the planned end-date for the Mission of 20 May 2004, as indicated in the mandate implementation plan set out in the report of the Secretary-General of 17 April 2002,[59] and in the special report of the Secretary-General of 3 March 2003,[5]

Stressing the need for continued international support for Timor-Leste, and encouraging continued bilateral and multilateral development assistance,

Having considered the report of the Secretary-General of 21 April 2003,[60]

Taking note of the military strategy outlined in paragraphs 38 to 51 of that report,

1. *Decides* to extend the current mandate of the United Nations Mission of Support in East Timor until 20 May 2004;

2. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4758th meeting.

[59] S/2002/432.
[60] S/2003/449.

Decision

On 17 July 2003, the President of the Security Council addressed the following letter to the Secretary-General:[61]

> "I have the honour to inform you that your letter dated 14 July 2003 concerning your intention to appoint Lieutenant General Khairuddin Mat Yusof, of Malaysia, to the post of Force Commander of the United Nations Mission of Support in East Timor[62] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

ITEMS RELATING TO STRENGTHENING COOPERATION WITH TROOP-CONTRIBUTING COUNTRIES[63]

A. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Ethiopia and Eritrea pursuant to resolution 1353 (2001), annex II, sections A and B[64]

Decisions

At its 4599th meeting, held in private on 13 August 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 13 August 2002, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4599th meeting, in private with the troop-contributing countries to the United Nations Mission in Ethiopia and Eritrea.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4716th meeting, held in private on 10 March 2003, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 10 March 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4716th meeting, in private with the troop-contributing countries to the United Nations Mission in Ethiopia and Eritrea.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Legwaila Joseph Legwaila, Special Representative of the Secretary-General for Ethiopia and Eritrea and Head of the United Nations Mission in Ethiopia and Eritrea."

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[61] S/2003/717

[62] S/2003/716

[63] In accordance with a note by the President of the Security Council dated 27 August 2002 (S/2002/964), the wording of the items under this section concerning "Meeting of the Security Council with troop-contributing countries ... pursuant to resolution 1353 (2001), annex II, section A" was revised to read "Meeting of the Security Council with troop-contributing countries ... pursuant to resolution 1353 (2001), annex II, sections A and B"

[64] Resolutions or decisions on this question were also adopted by the Security Council in the year 2001 and during the period from 1 January to 31 July 2002.

B. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Sierra Leone pursuant to resolution 1353 (2001), annex II, sections A and B[64]

Decisions

At its 4610th meeting, held in private on 18 September 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 18 September 2002, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4610th meeting, in private with the troop-contributing countries to the United Nations Mission in Sierra Leone.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Oluyemi Adeniji, Special Representative of the Secretary-General for Sierra Leone and Head of the United Nations Mission in Sierra Leone.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4724th meeting, held in private on 20 March 2003, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 20 March 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4724th meeting, in private with the troop-contributing countries to the United Nations Mission in Sierra Leone.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Oluyemi Adeniji, Special Representative of the Secretary-General for Sierra Leone and Head of the United Nations Mission in Sierra Leone.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

C. Meeting of the Security Council with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo pursuant to resolution 1353 (2001), annex II, sections A and B[64]

Decisions

At its 4612th meeting, held in private on 19 September 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 19 September 2002, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4612th meeting, in private with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4767th meeting, held in private on 4 June 2003, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 4 June 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4767th meeting, in private with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"The members of the Council had an extensive and constructive exchange of views with representatives of participating troop-contributing countries."

D. Meeting of the Security Council with the troop-contributing countries to the United Nations Iraq-Kuwait Observation Mission pursuant to resolution 1353 (2001), annex II, sections A and B[65]

Decisions

At its 4617th meeting, held in private on 2 October 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 2 October 2002, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4617th meeting, in private with the troop-contributing countries to the United Nations Iraq-Kuwait Observation Mission.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4733rd meeting, held in private on 2 April 2003, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 2 April 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4733rd meeting, in private with the troop-contributing countries to the United Nations Iraq-Kuwait Observation Mission.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4781st meeting, held in private on 1 July 2003, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

[65] Resolutions or decisions on this question were also adopted by the Security Council in 2001.

"On 1 July 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4781st meeting, in private with the troop-contributing countries to the United Nations Iraq-Kuwait Observation Mission.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Julian Harston, Acting Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

E. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission of Observers in Prevlaka pursuant to resolution 1353 (2001), annex II, sections A and B[66]

Decision

At its 4620th meeting, held in private on 10 October 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 10 October 2002, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4620th meeting, in private with the troop-contributing countries to the United Nations Mission of Observers in Prevlaka.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations."

F. Meeting of the Security Council with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus pursuant to resolution 1353 (2001), annex II, sections A and B[66]

Decisions

At its 4648th meeting, held in private on 21 November 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 21 November 2002, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4648th meeting, in private with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Joachim Hutter, Director of the Europe and Latin America Division of the Department of Peacekeeping Operations of the Secretariat."

At its 4769th meeting, held in private on 5 June 2003, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

[66] Resolutions or decisions on this question were also adopted by the Security Council during the period from 1 January to 31 July 2002.

"On 5 June 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4769th meeting, in private with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

G. Meeting of the Security Council with the troop-contributing countries to the United Nations Disengagement Observer Force pursuant to resolution 1353 (2001), annex II, sections A and B[64]

Decisions

At its 4669th meeting, held in private on 17 December 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 17 December 2002, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4669th meeting, in private with the troop-contributing countries to the United Nations Disengagement Observer Force.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4778th meeting, held in private on 23 June 2003, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 23 June 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4778th meeting, in private with the troop-contributing countries to the United Nations Disengagement Observer Force.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Major General Martin L. Agwai, Deputy Military Adviser in the Department of Peacekeeping Operations of the Secretariat.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

H. Meeting of the Security Council with the troop-contributing countries to the United Nations Observer Mission in Georgia pursuant to resolution 1353 (2001), annex II, sections A and B[65]

Decisions

At its 4687th meeting, held in private on 17 January 2003, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 17 January 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4687th meeting, in private with the troop-contributing countries to the United Nations Observer Mission in Georgia.

"The Council and the troop-contributing countries heard briefings under rule 39 of the provisional rules of procedure of the Council by Mr. Joachim Hutter, Director of the Europe and Latin America Division of the Department of Peacekeeping Operations of the Secretariat, and Major General Kazi Ashfaq Ahmed, Chief Military Observer of the United Nations Observer Mission in Georgia.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4796th meeting, held in private on 25 July 2003, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 25 July 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4796th meeting, in private with the troop-contributing countries to the United Nations Observer Mission in Georgia.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Heidi Tagliavini, Special Representative of the Secretary-General for Georgia and Head of the United Nations Observer Mission in Georgia.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

I. Meeting of the Security Council with the troop-contributing countries to the United Nations Interim Force in Lebanon pursuant to resolution 1353 (2001), annex II, sections A and B[95]

Decisions

At its 4689th meeting, held in private on 21 January 2003, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 21 January 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4689th meeting, in private with the troop-contributing countries to the United Nations Interim Force in Lebanon.

"The Council and the troop-contributing countries heard briefings under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations, and Major General Lalit Mohan Tewari, Force Commander of the United Nations Interim Force in Lebanon.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4795th meeting, held in private on 25 July 2003, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 25 July 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4795th meeting, in private with the troop-contributing countries to the United Nations Interim Force in Lebanon.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Julian Harston, Acting Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

J. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara pursuant to resolution 1353 (2001), annex II, sections A and B[64]

Decisions

At its 4690th meeting, held in private on 22 January 2003, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 22 January 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4690th meeting, in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations."

At its 4763rd meeting, held in private on 28 May 2003, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 28 May 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4763rd meeting, in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations."

K. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission of Support in East Timor pursuant to resolution 1353 (2001), annex II, sections A and B

Decision

At its 4755th meeting, held in private on 16 May 2003, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 16 May 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4755th meeting, in private with the troop-contributing countries to the United Nations Mission of Support in East Timor.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Major General Patrick Cammaert, Military Adviser in the Department of Peacekeeping Operations of the Secretariat.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

THE SITUATION BETWEEN ERITREA AND ETHIOPIA[67]

Decision

At its 4600th meeting, on 14 August 2002, the Security Council considered the item entitled

"The situation between Eritrea and Ethiopia

"Report of the Secretary-General on Ethiopia and Eritrea (S/2002/744)"

Resolution 1430 (2002) of 14 August 2002

The Security Council,

Recalling its relevant resolutions concerning the situation between Eritrea and Ethiopia, in particular resolution 1398 (2002) of 15 March 2002,

Also recalling the report of 27 February 2002 of the Security Council mission to Ethiopia and Eritrea undertaken in the period from 21 to 25 February 2002,[68]

Further recalling the Delimitation Decision of the Boundary Commission of 13 April 2002,[69] subsequently embraced by the parties as final and binding in accordance with the comprehensive Peace Agreement signed in Algiers on 12 December 2000,[70]

Reaffirming its strong support for the comprehensive Peace Agreement and the preceding Agreement on Cessation of Hostilities signed in Algiers on 18 June 2000[71] (hereinafter referred to collectively as "the Algiers Agreements"),

Reaffirming its strong support also for the help in implementing the Algiers Agreements continuously provided by the Secretary-General and his Special Representative, including through their good offices, and for the role played by the United Nations Mission in Ethiopia and Eritrea in the implementation of its mandate, thereby contributing towards the completion of the peace process,

Reaffirming the need for both parties to fulfil their obligations under international law, including international humanitarian law, human rights law and refugee law, and to ensure the safety of all personnel of the United Nations, the International Committee of the Red Cross and other humanitarian organizations,

Reaffirming its strong support for the African Union Liaison Mission in Ethiopia-Eritrea, and inviting the President ad interim of the Commission of the African Union to continue actively the role of the former Organization of African Unity in support of the peace process,

Having considered the report of the Secretary-General of 10 July 2002,[72]

1. *Decides* to adjust the mandate of the United Nations Mission in Ethiopia and Eritrea, in order to assist the Boundary Commission in the expeditious and orderly implementation of its Delimitation Decision,[69] to include with immediate effect:

(a) Demining in key areas to support demarcation, and

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[67] Resolutions or decisions on this question were also adopted by the Security Council in the years 1998, 1999, 2000 and 2001 and during the period from 1 January to 31 July 2002.

[68] S/2002/209.

[69] S/2002/423, annex.

[70] S/2000/1183, annex.

[71] S/2000/601, annex.

[72] S/2002/744.

(*b*) Administrative and logistical support for the Field Offices of the Boundary Commission,

in accordance with the recommendations provided by the Secretary-General in paragraphs 13, 14 and 17 of his report,[72] and resolution 1398 (2002), the costs of civilian demining contractors and Field Office support to be funded as outlined in paragraphs 14 and 17 of the report;

2. *Endorses* the technical steps for territorial transfers as a broad framework for the process as recommended by the Secretary-General in his report, and decides to review, as necessary, the implications for the Mission in this regard, while strongly urging the parties to provide their full and prompt cooperation in the process with a view to ensuring an expeditious transition for the benefit of the affected populations;

3. *Calls upon* the parties to cooperate fully and expeditiously with the Mission in the implementation of its mandate, as adjusted by the present resolution, by abiding scrupulously by the letter and spirit of their agreements and by resolving all outstanding issues in accordance with the Algiers Agreements;

4. *Encourages* the parties to continue to cooperate fully and expeditiously with the Mission in providing the information and maps required by the Mission for the demining process;

5. *Calls upon* the parties to cooperate fully and promptly with the Boundary Commission, including by implementing without conditions its binding Demarcation Directions, by abiding promptly by all its Orders, including the two issued on 17 July 2002,[73] and by taking all steps necessary to ensure the personal security of the staff of the Commission operating in territories under their control;

6. *Appeals* to the parties to exercise restraint, and emphasizes that, in accordance with paragraph 14 of the Agreement on Cessation of Hostilities,[71] the security arrangements are to remain in effect, and that, accordingly, arrangements for the separation of forces, as achieved by the Temporary Security Zone and through the contributions of the Mission, will continue to be of key importance;

7. *Calls upon* the parties to refrain from unilateral troop or population movements, including the establishment of any new settlements in areas near the border, until demarcation and orderly transfer of territorial control has been accomplished, in accordance with article 4, paragraph 16, of the comprehensive Peace Agreement;[70]

8. *Demands* that the parties allow the Mission full freedom of movement and remove with immediate effect any and all restrictions on, and impediments to the work of, the Mission and its staff in the discharge of its mandate;

9. *Expresses its disappointment* that there has been no progress regarding the establishment of a direct high-altitude flight route for the Mission between Asmara and Addis Ababa, given the importance to the demarcation process of a direct flight route, and renews its appeal to the parties to work with the Special Representative of the Secretary-General in a spirit of compromise to settle the issue for the mutual benefit of all;

10. *Calls again upon* the parties to release and return without further delay all remaining prisoners of war and civilian internees under the auspices of the International Committee of the Red Cross in accordance with the Geneva Conventions of 12 August 1949[74] and the Algiers Agreements;

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[73] See S/2002/853.

[74] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

11. *Further calls upon* the parties to increase their efforts to take other measures that will build confidence and promote reconciliation between the two peoples for their mutual benefit, including in particular in the areas listed in paragraph 14 of resolution 1398 (2002);

12. *Encourages* the guarantors, facilitators and witnesses of the Algiers Agreements and the Friends of the United Nations Mission in Ethiopia and Eritrea to intensify their contacts with the authorities of both countries with a view to contributing to an expeditious demarcation process;

13. *Strongly emphasizes* the importance of an expeditious and orderly demarcation process in order to further peace and normalize the relations between the parties, to enable displaced persons to return home and in order for the parties to move completely beyond the border issue and pave the way for reconstruction and development as well as political and economic cooperation;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4606th meeting.

Decision

At its 4606th meeting, on 6 September 2002, the Security Council considered the item entitled

"The situation between Eritrea and Ethiopia

"Progress report of the Secretary-General on Ethiopia and Eritrea (S/2002/977)".

Resolution 1434 (2002)
of 6 September 2002

The Security Council,

Reaffirming all its previous resolutions and statements pertaining to the situation between Eritrea and Ethiopia, notably the requirements contained therein, including in particular its resolution 1430 (2002) of 14 August 2002,

Reaffirming its unwavering support for the peace process and its commitment, including through the role played by the United Nations Mission in Ethiopia and Eritrea in the implementation of its mandate, to the full and expeditious implementation of the comprehensive Peace Agreement signed by the parties on 12 December 2000[70] and the preceding Agreement on Cessation of Hostilities of 18 June 2000[71] (hereinafter referred to collectively as "the Algiers Agreements"), the Delimitation Decision of the Boundary Commission of 13 April 2002,[69] embraced by the parties as final and binding in accordance with the Algiers Agreements, including the Orders issued on 17 July 2002,[72] and the ensuing binding Demarcation Directions,

Welcoming the recent confirmations by both parties to implement fully their commitments under article 2 of the comprehensive Peace Agreement, in accordance with the Geneva Conventions of 12 August 1949,[74] and in so doing, welcoming the recent release and repatriation by Eritrea of 279 prisoners of war and strongly encouraging Ethiopia to follow through on its pledge relating to the release and repatriation of its prisoners of war and civilian internees, and calling upon both parties to continue to clarify the cases of any remaining prisoners of war and to resolve all other remaining issues in accordance with the Geneva Conventions, in cooperation with the International Committee of the Red Cross,

Expressing concern regarding reported incidents of cross-border harassment and abductions of civilians on both sides, referred to in the report of the Secretary-General of 30 August 2002,[73] and calling upon both parties to ensure an immediate end to such incidents and to cooperate fully with investigations by the Mission in this regard,

[73] S/2002/977.

Having considered the report of the Secretary-General,

1. *Decides* to extend the mandate of the United Nations Mission in Ethiopia and Eritrea until 15 March 2003 at the troop and military observer levels authorized by its resolution 1320 (2000) of 15 September 2000;

2. *Also decides* to review frequently the progress made by the parties in the implementation of their commitments pursuant to the Algiers Agreements, including through the Boundary Commission, and to review any implications for the Mission, including with regard to the process of territorial transfers during the demarcation as outlined by the Secretary-General in his report of 10 July 2002;[72]

3. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4606th meeting.

Decisions

On 8 October 2002, the President of the Security Council addressed the following letter to the Secretary-General:[76]

> "I have the honour to inform you that your letter dated 4 October 2002, in which you indicated your intention to appoint Major General Robert Gordon, of the United Kingdom of Great Britain and Northern Ireland, as Force Commander of the United Nations Mission in Ethiopia and Eritrea,[77] has been brought to the attention of the members of the Security Council, who have taken note of your intention."

At its 4719th meeting, on 14 March 2003, the Council considered the item entitled:

"The situation between Eritrea and Ethiopia

"Progress report of the Secretary-General on Ethiopia and Eritrea (S/2003/257)".

Resolution 1466 (2003) of 14 March 2003

The Security Council,

Reaffirming all its previous resolutions and statements pertaining to the situation between Ethiopia and Eritrea, and the requirements contained therein, including in particular its resolution 1434 (2002) of 6 September 2002,

Reaffirming its unwavering support for the peace process and its commitment, including through the role played by the United Nations Mission in Ethiopia and Eritrea in the implementation of its mandate, to the full and expeditious implementation of the comprehensive Peace Agreement signed by the parties on 12 December 2000[70] and the preceding Agreement on Cessation of Hostilities of 18 June 2000[71] (hereinafter referred to collectively as "the Algiers Agreements"), the Delimitation Decision of the Boundary Commission of 13 April 2002,[99] embraced by the parties as final and binding in accordance with the Algiers Agreements, including the Orders issued on 17 July 2002,[73] and the ensuing binding Demarcation Directions,

Commending the Governments of Ethiopia and Eritrea on the progress made thus far in the peace process, including the recently concluded release and repatriation of prisoners of war, and calling upon both parties to cooperate with the International Committee of the Red Cross to clarify and to resolve the remaining issues in accordance with the Geneva Conventions of 12 August 1949,[74] and with the commitments made in the Algiers Agreements,

[76] S/2002/1121

[77] S/2002/1120

Reiterating the need for both parties to fulfil their obligations under international law, including international humanitarian law, human rights law and refugee law, and to ensure the safety of all personnel of the United Nations, the Boundary Commission, the International Committee of the Red Cross and other humanitarian organizations,

Noting that the peace process is about to enter its crucial phase of demarcation, and emphasizing the importance of ensuring expeditious implementation of the Boundary Decision while maintaining stability in all areas affected by the Decision,

Stressing that only the full implementation of the Algiers Agreements will lead to sustainable peace, which is a crucial precondition to address reconstruction and development needs as well as economic recovery,

Noting with concern the continued violations of the model status-of-forces agreement, which Ethiopia has signed and Eritrea has agreed to respect,

Welcoming the eighth report of the Boundary Commission,[78] noting the concerns expressed therein with regard to full adherence by the parties to the Boundary Decision and demarcation-related decisions of the Commission, and expressing its full support for the work of the Commission and the legal framework within which the Commission is taking its decisions,

Having considered the report of the Secretary-General,[79]

1. *Decides* to extend the mandate of the United Nations Mission in Ethiopia and Eritrea until 15 September 2003 at the troop and military observer levels authorized by its resolution 1320 (2000) of 15 September 2000;

2. *Urges* both Ethiopia and Eritrea to continue to assume their responsibilities and fulfil their commitments under the Algiers Agreements, and calls upon them to cooperate fully and promptly with the Boundary Commission to enable it to fulfil the mandate conferred upon it by the parties of expeditiously delimiting and demarcating the boundary, to implement fully the binding Demarcation Directions of the Commission, to abide promptly by all its Orders, including those issued on 17 July 2002,[77] and to take all steps necessary to provide the necessary security on the ground for the staff of the Commission operating in territories under their control;

3. *Expresses concern* regarding recent incidents of incursions across the southern boundary of the Temporary Security Zone and calls upon both parties to ensure an immediate end to such incidents and to cooperate fully with investigations by the Mission in this regard, and expresses further concern about the placement by unknown entities of anti-tank mines in the Temporary Security Zone;

4. *Calls upon* the parties to cooperate fully and expeditiously with the Mission in the implementation of its mandate to ensure the personal security of the staff of the Mission when operating in territories under their control, and to facilitate their work, including by establishing a direct high-altitude flight route for the Mission between Asmara and Addis Ababa, which would relieve the unnecessary additional cost to the Mission;

5. *Demands* that the parties allow the Mission full freedom of movement and remove with immediate effect any and all restrictions on, and impediments to the work of, the Mission and its staff in the discharge of its mandate;

6. *Affirms* the ability of the Mission, within its existing verification mandate, to monitor fulfilment by the parties of their responsibilities with regard to the security of the Boundary Commission staff working in the field;

[78] S/2003/257, annex I.

[79] S/2003/257.

7. *Notes* the work done by the Mine Action Coordination Centre of the Mission in demining and education on risk related to mines, and urges the parties to pursue efforts on mine clearance;

8. *Urges* the two parties to engage expeditiously in further discussions with the Special Representative of the Secretary-General so that they reach agreement on the timing and modalities of territorial transfer, which could include the establishment by the parties of a mechanism for the resolution of problems in this regard;

9. *Also urges* the two parties to begin to sensitize their populations about the demarcation process and its implications, including the role of the United Nations in support of this process;

10. *Calls upon* the parties to refrain from unilateral troop or population movements, including the establishment of any new settlements in areas near the border, until demarcation and orderly transfer of territorial control has been accomplished, in accordance with article 4, paragraph 16, of the comprehensive Peace Agreement;[70]

11. *Reaffirms* its decision to review frequently the progress made by the parties in the implementation of their commitments pursuant to the Algiers Agreements, including through the Boundary Commission, and to review any implications for the Mission, including with regard to the process of territorial transfers during the demarcation as outlined by the Secretary-General in his report of 10 July 2002;[72]

12. *Encourages* the guarantors, facilitators and witnesses of the Algiers Agreements and the Friends of the United Nations Mission in Ethiopia and Eritrea to intensify further their contacts with the authorities of both countries with a view to contributing to an expeditious demarcation process;

13. *Welcomes* the contributions by Member States to the Trust Fund in Support of the Delimitation and Demarcation of the Ethiopia-Eritrea Border, and calls upon the international community to continue to contribute urgently to the Trust Fund in order to facilitate the conclusion of the demarcation process in accordance with the schedule of the Boundary Commission;

14. *Calls again upon* the parties to increase their efforts to take measures that will build confidence and contribute to the normalization of relations between them, including in particular their political relations and those in the areas listed in paragraph 14 of resolution 1398 (2002) of 15 March 2002;

15. *Expresses its concern* at the prevailing drought and worsening humanitarian situation in Ethiopia and Eritrea and the implications this could have for the peace process, and calls upon Member States to continue to provide prompt and generous support for humanitarian operations in Ethiopia and Eritrea;

16. *Invites* the African Union to continue to lend its full support to the peace process;

17. *Expresses its strong support* for the Special Representative of the Secretary-General, Mr. Legwaila Joseph Legwaila, the Force Commander of the Mission, Major General Robert Gordon, the military and civilian personnel of the Mission and the Boundary Commission for their work in support of the peace process;

18. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4719th meeting.

Decisions

At its 4787th meeting, on 17 July 2003, the Security Council considered the item entitled:

"The situation between Eritrea and Ethiopia

"Progress report of the Secretary-General on Ethiopia and Eritrea (S/2003/665)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[80]

"The Security Council, recalling all its resolutions and statements by its President regarding the situation between Ethiopia and Eritrea, as well as the conclusions of the Security Council mission to Eritrea and Ethiopia in 2002, welcomes the progress report of the Secretary-General of 23 June 2003.[81]

"The Council reaffirms the commitment of all Member States to the sovereignty, independence and territorial integrity of Ethiopia and Eritrea, and its support for the Delimitation Decision of the Eritrea-Ethiopia Boundary Commission of 13 April 2002.[69]

"The Council welcomes the public commitment of both parties to a full and expeditious implementation of the comprehensive Peace Agreement signed in Algiers on 12 December 2000,[70] and reaffirms its commitment to contribute to the completion of the peace process. The Council welcomes the parties' acceptance of the Delimitation Decision of 13 April 2002 as final and binding.

"The Council welcomes the fact that the situation in the Temporary Security Zone has remained calm and that the parties have cooperated well with the Special Representative of the Secretary-General and with the United Nations Mission in Ethiopia and Eritrea. The Council reiterates its serious concern about outstanding issues referred to in the report of the Secretary-General, in particular some restrictions on the freedom of movement of the Mission that remain and the continuing absence of a direct high-altitude flight route for aircraft of the Mission between Asmara and Addis Ababa, resulting in additional costs to the Mission.

"The Council supports the observation made by the Secretary-General in his progress report that expeditious demarcation of the border is crucial, and expresses concern at the delays so far, particularly given the operational cost of the Mission at a time of growing demands on United Nations peacekeeping. Delays would be contrary to the wish of both parties to achieve lasting peace and stability as manifested in the Algiers Agreement.

"The Council urges the parties to provide their full and prompt cooperation to the Boundary Commission for the beginning of demarcation in Sector East and for the initiation of survey work in Sectors Centre and West. The Council calls upon the parties to pursue any matters that may arise in connection with the implementation of the Delimitation Decision of the Boundary Commission within the provisions of the Algiers Agreement.

"The Council encourages the parties to continue their cooperation with the Military Coordination Commission in order to resolve military and security coordination issues arising from the activities of the Boundary Commission. The Council welcomes assurances given by both parties regarding the provision of security for the staff of the Boundary Commission and contractors operating in the Temporary Security Zone and adjacent areas during demarcation.

"The Council regrets the absence of political contacts between the parties. It believes that political dialogue between the two countries is crucial for the success of the peace process and the consolidation of progress made thus far. The Council calls upon both parties to normalize their relationship through political dialogue, including confidence-building measures such as holding alternating meetings of the Military Coordination Commission in each other's capital.

[80] S/PRST/2003/10.

[81] S/2003/665.

"The Council underlines the readiness of the United Nations to facilitate political dialogue if requested and to offer strong support in addressing the humanitarian and development challenges that would result from the demarcation of the border.

"The Council encourages the Mission to continue its local outreach activities in order to provide valuable information about the peace process and mine awareness programmes to the local population. The Council welcomes the intention of the Mission to continue quick-impact projects, which provide direct assistance to communities in the border regions, and welcomes the recommendation of the Secretary-General contained in paragraph 22 of his report. The Council, expressing appreciation to those Member States that have already provided contributions to the Trust Fund in Support of the Delimitation and Demarcation of the Ethiopia-Eritrea Border and to the Trust Fund to Support the Peace Process in Ethiopia and Eritrea, calls upon Member States in a position to do so to urgently provide further support to these Trust Funds.

"The Council is concerned about the serious shortfall of resources received in response to the consolidated appeals to address the humanitarian consequences of the drought in Ethiopia and Eritrea and calls upon Member States and the international community to contribute generously to these appeals."

EXCHANGE OF LETTERS BETWEEN THE SECRETARY-GENERAL AND THE PRESIDENT OF THE SECURITY COUNCIL CONCERNING THE INDIA-PAKISTAN QUESTION[82]

Decision

On 21 August 2002, the President of the Security Council addressed the following letter to the Secretary-General:[83]

"I have the honour to inform you that your letter dated 15 August 2002 concerning your intention to appoint Brigadier General Pertti Puonti, of Finland, as the Chief Military Observer of the United Nations Military Observer Group in India and Pakistan,[84] has been brought to the attention of the members of the Security Council. They take note of the intention expressed therein."

ITEMS RELATING TO THE SITUATION IN THE FORMER YUGOSLAVIA

A. Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)[85]

Decisions

At its 4605th meeting, on 5 September 2002, the Security Council decided to invite the representatives of Denmark, the former Yugoslav Republic of Macedonia, Ukraine and

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[82] Resolutions or decisions on this question were also adopted by the Security Council in the years 1998, 1999, 2000 and 2001 and during the period from 1 January to 31 July 2002.

[83] S/2002/947.

[84] S/2002/946.

[85] Resolutions or decisions on this question were also adopted by the Security Council in the years 1999, 2000 and 2001 and during the period from 1 January to 31 July 2002.

Yugoslavia to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At its 4633rd meeting, on 24 October 2002, the Council decided to invite the representative of Yugoslavia to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[86]

> "The Security Council reaffirms its continued commitment to the full and effective implementation of Council resolution 1244 (1999) of 10 June 1999 in Kosovo, Federal Republic of Yugoslavia, commends the Special Representative of the Secretary-General and the Commander of the Kosovo Force for the ongoing efforts to this end and calls upon the provisional institutions of self-government, local leaders and all others concerned to cooperate fully with them.
>
> "The Council welcomes the progress made in preparing for the municipal elections on 26 October 2002 and calls upon all eligible voters, including those from minority communities, to seize the chance to have their interests properly represented by taking part in the elections. The Council expresses its firm belief that wide participation in the voting is essential to providing the best opportunity for future progress towards building a multi-ethnic and tolerant society."

At its 4643rd meeting, on 6 November 2002, the Council decided to invite the representatives of Denmark, Japan, Ukraine and Yugoslavia to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2002/1126)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

On 21 November 2002, the President of the Security Council addressed the following letter to the Secretary-General:[87]

> "I have the honour to inform you that, following informal consultations, and taking into account the views of your Special Representative and Head of the United Nations Interim Administration Mission in Kosovo, Mr. Michael Steiner, the members of the Security Council have agreed to dispatch a mission to Kosovo and Belgrade, Federal Republic of Yugoslavia, from 13 to 17 December 2002. The terms of reference for the mission are attached (see annex). The composition of the mission, which will be led by Mr. Ole Peter Kolby, of Norway, will be forwarded to you shortly.
>
> "I should be grateful if you could have the Secretariat make all the necessary arrangements to facilitate the work of the mission.

[86] S/PRST/2002/29.

[87] S/2002/1271.

"**Annex**

"**Terms of reference for the Security Council mission to Kosovo and Belgrade, Federal Republic of Yugoslavia**

"1. At the invitation of the Special Representative of the Secretary-General in Kosovo, Michael Steiner, the Security Council decides to send a mission there. The visit will take place from 13 to 17 December 2002. The mission will visit both Pristina and Belgrade.

"2. The mission has the following objectives:

"(*a*) To find ways to enhance support for the implementation of Council resolution 1244 (1999) and the work of the United Nations Interim Administration Mission in Kosovo to this end;

"(*b*) In this context, to observe the operations of the Mission and the situation on the ground, and specifically to obtain an update on Mr. Steiner's benchmarks, including the rule of law, the rate of sustainable return and the privatization agenda; in addition, to discuss the challenges faced by the Mission, particularly the follow-up to the local elections, decentralization and the situation in Mitrovica; and report its conclusions to the Council;

"(*c*) To convey a strong message to the provisional institutions of self-government, local leaders, the newly elected municipal officials and all others concerned, about the need:

"(i) To use the opportunity created by the local elections to move forward with the decentralization process and to further develop democratic institutions;

"(ii) To promote inter-ethnic reconciliation and inclusion;

"(iii) To reject all violence and condemn extremist and terrorist activities;

"(iv) To ensure public safety and order and promote stability and security;

"(v) To support the full and effective implementation of Council resolution 1244 (1999) and fully cooperate with the Mission and the Kosovo Force to these ends;

"(*d*) To explore ways to enhance cooperation between the Mission and the authorities of the Federal Republic of Yugoslavia on the basis of the UNMIK-FRY Common Document of 5 November 2001, and the opportunities for increased cooperation between Pristina and Belgrade;

"(*e*) To look at the impact of the regional situation on the work of the Mission."

At its 4676th meeting, on 19 December 2002, the Council decided to invite the representative of Yugoslavia to participate, without vote, in the discussion of the item entitled:

"Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

"Report of the Security Council mission to Kosovo and Belgrade, Federal Republic of Yugoslavia (S/2002/1376)".

At its 4702nd meeting, on 6 February 2003, the Council decided to invite the representatives of Greece, Norway and Serbia and Montenegro[88] to participate, without vote, in the discussion of the item entitled:

"Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

[88] Effective 4 February 2003, the name of the State of the Federal Republic of Yugoslavia was changed to "Serbia and Montenegro".

"Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2003/113)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Michael Steiner, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

At its 4703rd meeting, on 6 February 2003, the Council considered the item entitled:

"Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

"Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2003/113)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[89]

"The Security Council reaffirms its continued commitment to the full and effective implementation of its resolution 1244 (1999) of 10 June 1999. The Council notes the transformation of the Federal Republic of Yugoslavia into Serbia and Montenegro and, in this context, reaffirms that resolution 1244 (1999) remains fully valid in all its aspects. Resolution 1244 (1999) continues to be the basis of the policy of the international community on Kosovo.

"The Council further reaffirms its commitment to the objective of a multiethnic and democratic Kosovo and calls upon all communities to work towards this goal and actively participate in the public institutions as well as the decision-making process, and integrate into society. It condemns all attempts to establish and maintain structures and institutions as well as initiatives that are inconsistent with resolution 1244 (1999) and the Constitutional Framework for Provisional Self-Government in Kosovo. The Council calls for the authority of the United Nations Interim Administration Mission in Kosovo to be respected throughout Kosovo, and welcomes the establishment of the authority of the Mission in the northern part of Mitrovica. It encourages the establishment of direct dialogue between Pristina and Belgrade on issues of practical importance to both sides.

"The Council condemns the violence within the Kosovo Albanian community, as well as the violence against the Kosovo Serb community. It urges local institutions and leaders to exert influence on the climate for the rule of law by condemning all violence and actively supporting the efforts of the police and the judiciary. It underlines the responsibility of the majority to make the minority communities feel that Kosovo is their home too, and that the laws apply equally to everyone. The minority community representatives must join and work within the institutions to benefit from them. The Council stresses that all communities must make renewed efforts to inject momentum into improving inter-ethnic dialogue and promoting the reconciliation process, not least through full cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

"The Council welcomes the report of the Secretary-General on the activities of the Mission and recent developments in Kosovo[90] and the briefing of the Special Representative of the Secretary-General on the status of implementation of the benchmarks for Kosovo. The Council reiterates its full support for the "standards before status" policy with postulated targets in the eight key areas: functioning of democratic institutions, the rule of law, freedom

[89] S/PRST/2003/1

[90] S/2003/113

of movement, the return of refugees and internally displaced persons, the economy, property rights, dialogue with Belgrade, and the Kosovo Protection Corps. The Council welcomes the presentation of a detailed plan for its implementation that will provide the appropriate baseline against which progress can be measured, as discussed with the Special Representative of the Secretary-General during the Security Council mission in December 2002. The fulfilment of these targets is essential to commencing a political process designed to determine the future of Kosovo, in accordance with resolution 1244 (1999). The Council strongly rejects unilateral initiatives which may jeopardize stability and the normalization process not only in Kosovo but also in the entire region. It urges all political leaders in Kosovo and in the region to shoulder responsibility for democratization, peace and stability in the region by rejecting all initiatives contravening resolution 1244 (1999). The Council rejects any attempts to exploit the question of the future of Kosovo for other political ends.

"The Council welcomes the progress made in 2002, as outlined in the report of the Secretary-General. It supports the continued efforts of the Special Representative of the Secretary-General, including in such priority areas as revitalizing the economy through investment, combating crime and illegal trafficking, and building a multi-ethnic society, while ensuring conditions for the sustainable return of refugees and internally displaced persons.

"The Council welcomes the intention of the Special Representative of the Secretary-General to transfer remaining competencies to the provisional institutions of self-government by the end of the year, except those reserved for the Special Representative of the Secretary-General under resolution 1244 (1999). It calls upon the Kosovo provisional institutions of self-government as well as all Kosovars to take on their responsibilities and genuinely cooperate for this transfer to be successful.

"The Council reiterates its full support for the Special Representative of the Secretary-General and urges Kosovo's leaders once again to work in close cooperation with the Mission and the Kosovo Force for a better future for Kosovo and stability in the region."

At its 4742nd meeting, on 23 April 2003, the Council decided to invite the representatives of Albania, Greece and Serbia and Montenegro to participate, without vote, in the discussion of the item entitled:

"Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

"Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2003/421)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At its 4770th meeting, on 10 June 2003, the Council decided to invite the representatives of Greece and Serbia and Montenegro to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At its 4782nd meeting, on 3 July 2003, the Council decided to invite the representatives of Albania, Italy, Japan and Serbia and Montenegro to participate, without vote, in the discussion of the item entitled:

"Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

"Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2003/675)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Michael Steiner, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

On 28 July 2003, the President of the Security Council addressed the following letter to the Secretary-General:[91]

"I have the honour to inform you that your letter dated 24 July 2003 concerning your intention to appoint Mr. Harri Holkeri, of Finland, as your Special Representative and Head of the United Nations Interim Administration Mission in Kosovo[92] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

B. The situation in Croatia[93]

Decision

At its 4622nd meeting, on 11 October 2002, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Report of the Secretary-General on the United Nations Mission of Observers in Prevlaka (S/2002/1101)".

Resolution 1437 (2002) of 11 October 2002

The Security Council,

Recalling all its relevant resolutions, including resolutions 779 (1992) of 6 October 1992, 981 (1995) of 31 March 1995, 1088 (1996) of 12 December 1996, 1147 (1998) of 13 January 1998, 1183 (1998) of 15 July 1998, 1222 (1999) of 15 January 1999, 1252 (1999) of 15 July 1999, 1285 (2000) of 13 January 2000, 1307 (2000) of 13 July 2000, 1335 (2001) of 12 January 2001, 1357 (2001) of 21 June 2001, 1362 (2001) of 11 July 2001, 1387 (2002) of 15 January 2002 and 1424 (2002) of 12 July 2002,

Having considered the report of the Secretary-General of 2 October 2002 on the United Nations Mission of Observers in Prevlaka,[94]

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia within its internationally recognized borders,

Noting once again the Joint Declaration signed at Geneva on 30 September 1992 by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia,[95] in particular articles 1 and 3 thereof, the latter reaffirming their agreement concerning the demilitarization of

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[91] S/2003/762.

[92] S/2003/761.

[93] Resolutions or decisions on this question were also adopted by the Security Council in the years 1993 and 1995 to 2001 and during the period from 1 January to 31 July 2002.

[94] S/2002/1101.

[95] S/24476, annex.

the Prevlaka peninsula, and the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia of 23 August 1996,[96]

Noting with satisfaction that the overall situation in the area of responsibility of the Mission has remained stable and calm, and encouraged by the progress made by the parties in normalizing their bilateral relationship, in particular through negotiations aimed at finding a transitional arrangement for the Prevlaka peninsula,

Commending the role played by the Mission, and noting that the presence of the United Nations military observers continues to be important in maintaining conditions that are conducive to a negotiated settlement of the disputed issue of Prevlaka,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994[97] and the statement by its President of 9 February 2000,[98]

1. *Authorizes* the United Nations Mission of Observers in Prevlaka to continue monitoring the demilitarization of the Prevlaka peninsula, as a last extension of its mandate, until 15 December 2002;

2. *Requests* the Secretary-General to prepare for the termination of the mandate of the Mission on 15 December 2002 by gradually reducing the number of personnel and concentrating its activities in a way that reflects the stable and peaceful conditions in the area and the normalization of relations between the parties;

3. *Also requests* the Secretary-General to report to the Council on the completion of the mandate of the Mission;

4. *Reiterates its calls* upon the parties to comply with the demilitarized regime in the United Nations designated zones, to cooperate fully with the United Nations military observers and to ensure their safety and full and unrestricted freedom of movement;

5. *Welcomes* continuing progress in the normalization of relations between the Governments of the Republic of Croatia and the Federal Republic of Yugoslavia and the establishment of the interstate Border Commission, and urges the parties to accelerate efforts towards a negotiated settlement on the disputed issue of Prevlaka in accordance with article 4 of the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia;[96]

6. *Expresses its readiness* to review the duration of the authority given in paragraph 1 above, with a view to shortening the time frame, if the parties so request;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 4622nd meeting.

Decisions

At its 4662nd meeting, on 12 December 2002, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Report of the Secretary-General on the United Nations Mission of Observers in Prevlaka (S/2002/1341)"

[96] See S/1996/708 and S/1996/744.

[97] General Assembly resolution 49/59, annex.

[98] S/PRST/2000/4.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guehenno, Under-Secretary-General for Peacekeeping Operations.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[99]

> "The Security Council welcomes the protocol signed by the Government of Croatia and the Government of the Federal Republic of Yugoslavia on 10 December 2002, establishing a provisional cross-border regime on the Prevlaka peninsula, as referred to in the letter from their representatives dated 10 December 2002.[100] The protocol represents a further step forward in the process of strengthening confidence and good-neighbourly relations between both countries. The Council welcomes the commitment of both Governments to continue negotiations on Prevlaka with a view to amicably resolving all outstanding issues, and commends their diplomatic efforts to bolster peace and stability in the region.
>
> "The Council commends the important role played by the United Nations Mission of Observers in Prevlaka in helping to create conditions conducive to a negotiated settlement of the dispute. The Council takes this opportunity to express its appreciation for the efforts of all Mission personnel, past and present, and its gratitude to those countries that contributed personnel or other resources in the successful completion of its mandate."

C. The situation in Bosnia and Herzegovina[101]

Decisions

At its 4631st meeting, on 23 October 2002, the Security Council decided to invite the representatives of Bosnia and Herzegovina, Croatia, Denmark, Japan, Slovenia, Ukraine and Yugoslavia to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Letter dated 18 October 2002 from the Secretary-General addressed to the President of the Security Council (S/2002/1176)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Lord Ashdown, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, and Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina.

At its 4661st meeting, on 12 December 2002, the Council considered the item entitled:

"The situation in Bosnia and Herzegovina

> "Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (S/2002/1314)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 37 of its provisional rules of procedure, to the Presidency and the Prime Minister of Bosnia and Herzegovina.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure,

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[99] S/PRST/2002/34.

[100] S/2002/1348.

[101] Resolutions or decisions on this question were also adopted by the Security Council in the years from 1992 to 2001 and during the period from 1 January to 31 July 2002.

to Mr. Jacques Paul Klein, Special Representative of the Secretary-General for Bosnia and Herzegovina and Chief of Mission.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[102]

> "The Security Council welcomes the briefing by the Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina.
>
> "The Council reaffirms its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the 'Peace Agreement'),[103] as well as the relevant decisions of the Peace Implementation Council.
>
> "The Council takes this opportunity to express its deep appreciation for the efforts of the Secretary-General, his Special Representative Mr. Jacques Paul Klein and the personnel of the United Nations Mission in Bosnia and Herzegovina, which includes the International Police Task Force, for their contributions to the implementation of the Peace Agreement. The Council highly appreciates the achievements of cooperative efforts in bringing about the successful conclusion of the mandate of the Mission, which will expire on 31 December 2002, and expresses its thanks to all of the countries which took part in and contributed to the accomplishments of the Mission.
>
> "The Council welcomes the decision of the European Union to send a Police Mission to Bosnia and Herzegovina from 1 January 2003, as part of a broader rule of law approach, as well as the close coordination among all those concerned to ensure a seamless transition of responsibilities from the International Police Task Force to the European Union Police Mission, with the participation of the interested States non-members of the European Union.
>
> "The Council reiterates that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and all reforms needed to rebuild a civil society.
>
> "The Council reaffirms its commitment to the principles of the sovereignty and territorial integrity and inviolability of the borders of Bosnia and Herzegovina. The Council encourages continued commitment by Bosnia and Herzegovina to the promotion of peace and stability in the region, including through enhanced political and economical cooperation.
>
> "The Council expresses its intention to keep the implementation of the Peace Agreement, and the situation in Bosnia and Herzegovina under review. The Council invites the European Union to keep it regularly informed as appropriate on the activities of the European Union Police Mission."

At its 4786th meeting, on 11 July 2003, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in Bosnia and Herzegovina".

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[102] S/PRST/2003/13.

[103] S/1995/999, annex.

Resolution 1491 (2003) of 11 July 2003

The Security Council,

Recalling all its relevant resolutions concerning the conflicts in the former Yugoslavia and relevant statements by its President, including resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996 and 1423 (2002) of 12 July 2002,

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Emphasizing its full support for the continued role in Bosnia and Herzegovina of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[103] as well as the relevant decisions of the Peace Implementation Council,

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational Stabilization Force, the Organization for Security and Cooperation in Europe, and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Emphasizing that a comprehensive and coordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Recalling the declarations of the ministerial meetings of the Peace Implementation Council,

Taking note of the reports of the High Representative, including his latest report of 16 October 2002,[104]

Determining that the situation in the region continues to constitute a threat to international peace and security,

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994[97] and the statement by its President of 9 February 2000,[98]

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Acting under Chapter VII of the Charter,

I

1. *Reaffirms once again its support* for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[103] as well as for the Dayton Agreement on Implementing the Federation of Bosnia and Herzegovina of 10 November 1995,[105] calls upon the parties to comply strictly with their obligations under those Agreements, and expresses its intention to keep the implementation of the Peace Agreement, and the situation in Bosnia and Herzegovina, under review;

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[104] See S/2002/1176, annex.

[105] S/1995/1021, annex.

2. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in strengthening joint institutions which foster the building of a fully functioning self-sustaining State able to integrate itself into the European structures, and in facilitating returns of refugees and displaced persons;

3. *Reminds* the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and underlines that full cooperation by States and entities with the Tribunal includes, inter alia, the surrender for trial of all persons indicted by the Tribunal and the provision of information to assist in Tribunal investigations;

4. *Emphasizes its full support* for the continued role of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that the High Representative is the final authority in theatre regarding the interpretation of annex 10 on civilian implementation of the Peace Agreement and that in case of dispute he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn on 9 and 10 December 1997;[106]

5. *Expresses its support* for the declarations of the ministerial meetings of the Peace Implementation Council;

6. *Recognizes* that the parties have authorized the multinational force referred to in paragraph 10 below to take such actions as required, including the use of necessary force, to ensure compliance with annex 1-A of the Peace Agreement;

7. *Reaffirms its intention* to keep the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 18 and 20 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

II

8. *Pays tribute* to those Member States which participated in the multinational Stabilization Force established in accordance with its resolution 1088 (1996), and welcomes their willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational stabilization force;

9. *Notes* the support of the parties to the Peace Agreement for the continuation of the Force, set out in the declaration of the ministerial meeting of the Peace Implementation Council in Madrid on 16 December 1998;[107]

[106] See S/1997/979, annex, sect. XI.

[107] S/1998/1139, appendix.

10. *Authorizes* the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to continue for a further planned period of twelve months the Force as established in accordance with its resolution 1088 (1996) under unified command and control in order to fulfil the role specified in annexes 1-A and 2 of the Peace Agreement, and expresses its intention to review the situation with a view to extending this authorization further, as necessary, in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

11. *Also authorizes* the Member States acting under paragraph 10 above to take all necessary measures to effect the implementation of and to ensure compliance with annex 1-A of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for compliance with that annex and shall be equally subject to such enforcement action by the Force as may be necessary to ensure implementation of that annex and the protection of the Force, and takes note that the parties have consented to the Force taking such measures;

12. *Authorizes* Member States to take all necessary measures, at the request of the Force, either in defence of the Force or to assist the Force in carrying out its mission, and recognizes the right of the Force to take all necessary measures to defend itself from attack or threat of attack;

13. *Authorizes* the Member States acting under paragraph 10 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures established by the Commander of the Force, governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

14. *Requests* the authorities in Bosnia and Herzegovina to cooperate with the Commander of the Force to ensure the effective management of the airports of Bosnia and Herzegovina, in the light of the responsibilities conferred on the Force by annex 1-A of the Peace Agreement with regard to the airspace of Bosnia and Herzegovina;

15. *Demands* that the parties respect the security and freedom of movement of the Force and other international personnel;

16. *Invites* all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraph 10 above;

17. *Recalls* all the agreements concerning the status of forces as referred to in appendix B to annex 1-A of the Peace Agreement, and reminds the parties of their obligation to continue to comply therewith;

18. *Requests* the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to continue to report to the Security Council, through the appropriate channels and at least at monthly intervals;

* * *

19. *Welcomes* the deployment by the European Union of its Police Mission to Bosnia and Herzegovina since 1 January 2003;

20. *Requests* the Secretary-General to continue to submit to the Council reports from the High Representative, in accordance with annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996,[108] and later Peace Implementation Conferences, on the implementation of the Peace Agreement and in particular on compliance by the parties with their commitments under that Agreement;

[108] See S/1996/1012, annex.

21. *Decides* to remain seized of the matter.

Adopted unanimously at the 4786th meeting.

ITEMS RELATING TO THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS

A. High-level meeting of the Security Council on the anniversary of 11 September 2001: acts of international terrorism

Decisions

At its 4607th meeting, on 11 September 2002, the Security Council considered the item entitled "High-level meeting of the Security Council on the anniversary of 11 September 2001: acts of international terrorism".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[109]

> "The Security Council meets today in remembrance and resolve. One year ago, infamous and horrifying acts of terrorism took almost 3,000 innocent lives. They included nationals of half the countries of the world. These attacks changed the way we see our world. Today, the Council honours those innocents killed and injured in the attacks of 11 September 2001. The Council expresses solidarity with their families.
>
> "New York is the home of the United Nations. The Council admires this city's determination to forge ahead, to rebuild, not to give in to terrorism. The deaths and destruction of 11 September strengthen our common bonds and aspirations. The Council affirms that these attacks were an assault on global civilization and our common efforts to make the world a better and safer place. The world saw terrorists use civilian aircraft for mass murder. They struck at the ideals embodied in the Charter of the United Nations. The attacks challenged each Member to rise to the task of defeating terrorism, which has claimed victims in all corners of the world.
>
> "Following 11 September 2001, both the General Assembly and the Council reacted in outrage and condemnation. They demanded that those responsible for these crimes be brought to justice. The Council described such acts, like any acts of international terrorism, as threats to international peace and security.
>
> "The international community has responded to the atrocities of 11 September with unyielding determination. A broad coalition of States has taken action against the Taliban, al-Qa'idah, and their supporters. It did so in defence of common values and common security. Consistent with the high purposes of this institution and the provisions of the Charter, the coalition continues to pursue those responsible.
>
> "The international community as a whole provides vital support as Afghans rebuild their country. The Council applauds the efforts of so many from every continent and corner of the world. And, today, the Council also honours those who died in this common effort.
>
> "The Council gave substance to its determination to combat international terrorism with its historic resolution 1373 (2001) of 28 September 2001. In it, we made the fight against terrorism a mandatory obligation of the international community, consistent with the Charter and international law. The Counter-Terrorism Committee of the Council promotes

[109] S/PRST/2002/25.

cooperation and works to achieve the effective implementation of resolution 1373 (2001). The Council has also established and oversees the worldwide sanctions regime against al-Qa'idah and the Taliban.

"The Council calls upon all States and regional and subregional organizations to carry forward and build on their cooperation with the Counter-Terrorism Committee and the Security Council Committee established pursuant to resolution 1267 (1999).

"The threat is real, the challenge is enormous, and the fight against terrorism will be long. The Council will remain steadfast against the threat that endangers all that has been achieved, and all that remains to be achieved, to fulfil the purposes and principles of the United Nations for all people everywhere.

"Now let us all remember and reflect with a minute of silence."

B. Threats to international peace and security caused by terrorist acts[110]

Decisions

At its 4618th meeting, on 4 October 2002, the Security Council decided to invite the representatives of Australia, Burkina Faso, Cambodia, Costa Rica, the Democratic Republic of the Congo, Denmark, Egypt, Ethiopia, Fiji, Georgia, India, the Islamic Republic of Iran, Israel, Japan, Kazakhstan, Liechtenstein, Nepal, Pakistan, Peru, the Philippines, Qatar, the Republic of Korea, South Africa, Tunisia, Turkey, Ukraine, Yemen, Yugoslavia and Zambia to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Sir Jeremy Greenstock, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

At the same meeting, in response to the request dated 2 October 2002 from the Chargé d'affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council,[111] the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mokhtar Lamani, Permanent Observer of the Organization of the Islamic Conference to the United Nations.

At the same meeting, in response to the request dated 4 October 2002 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council,[112] the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Amadou Kébe, Permanent Observer of the African Union to the United Nations.

Upon resumption of the meeting, on 8 October 2002, the Council also decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item.

At its 4619th meeting, on 8 October 2002, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[113]

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[110] Resolutions or decisions on this question were also adopted by the Security Council in the year 2000 and during the period from 1 January to 31 July 2002.

[111] Document S/2002/1105, incorporated in the record of the 4618th meeting.

[112] Document S/2002/1112, incorporated in the record of the 4618th meeting.

[113] S/PRST/2002/26.

"The Security Council welcomes the briefing by the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) (the Counter-Terrorism Committee) on the work of the Committee in the year since its establishment, and other reflections by members of the Committee.

"The Council recalls the statement by its President of 15 April 2002, which recorded the intention of the Council to review the structure and activities of the Counter-Terrorism Committee no later than 4 October 2002.[114] The Council confirms the continuation of the current arrangements for the Bureau of the Committee for a further six months. It invites the Committee to pursue its agenda as set out in the work programme for the Committee for the fifth 90-day period,[115] focusing on ensuring that all States have legislation in place covering all aspects of resolution 1373 (2001), a process in hand for ratifying as soon as possible the 12 international conventions and protocols relating to terrorism, and effective executive machinery for preventing and suppressing terrorist financing; exploring ways in which States can be assisted to implement resolution 1373 (2001), in particular in the areas of primary focus; and building a dialogue with international, regional and subregional organizations active in the areas covered by the resolution. The Council invites these organizations to continue to find ways of improving their collective action against terrorism and, where appropriate, to work with donor States to establish suitable programmes.

"The Council notes with satisfaction that 174 Member States and 5 others have submitted a report to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001). It calls upon the 17 Member States which have not yet submitted a report to do so urgently.

"The Council invites the Counter-Terrorism Committee to report on its activities at regular intervals and expresses its intention to review the structure and activities of the Committee no later than 4 April 2003."

At its 4624th meeting, on 14 October 2002, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1438 (2002)
of 14 October 2002

The Security Council,

Reaffirming the purposes and principles of the Charter of the United Nations and its relevant resolutions, in particular resolution 1373 (2001) of 28 September 2001,

Reaffirming also the need to combat by all means, in accordance with the Charter, threats to international peace and security caused by terrorist acts,

1. *Condemns in the strongest terms* the bomb attacks in Bali, Indonesia, on 12 October 2002 in which so many lives were lost and people injured, as well as other recent terrorist acts in various countries, and regards such acts, like any act of international terrorism, as a threat to international peace and security;

2. *Expresses its deepest sympathy and condolences* to the Government and people of Indonesia and to the victims of the bomb attacks and their families;

3. *Urges* all States, in accordance with their obligations under resolution 1373 (2001), to work together urgently and to cooperate with and provide support and assistance, as appropriate, to the Indonesian authorities in their efforts to find and bring to justice the perpetrators, organizers and sponsors of these terrorist attacks;

[114] S/PRST/2002/10.

[115] S/2002/1075, annex.

4. *Expresses its reinforced determination* to combat all forms of terrorism, in accordance with its responsibilities under the Charter.

Adopted unanimously at the 4624th meeting.

Decision

At its 4632nd meeting, on 24 October 2002, the Security Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1440 (2002)
of 24 October 2002

The Security Council,

Reaffirming the purposes and principles of the Charter of the United Nations and its relevant resolutions, in particular resolution 1373 (2001) of 28 September 2001,

Reaffirming also the need to combat by all means, in accordance with the Charter, threats to international peace and security caused by terrorist acts,

1. *Condemns in the strongest terms* the heinous act of taking hostages in Moscow on 23 October 2002, as well as other recent terrorist acts in various countries, and regards such acts, like any act of international terrorism, as a threat to international peace and security;

2. *Demands* the immediate and unconditional release of all hostages in this terrorist act;

3. *Expresses its deepest sympathy and condolences* to the people and the Government of the Russian Federation and to the victims of the terrorist attack and their families;

4. *Urges* all States, in accordance with their obligations under resolution 1373 (2001), to cooperate with the Russian authorities in their efforts to find and bring to justice the perpetrators, organizers and sponsors of this terrorist attack;

5. *Expresses its reinforced determination* to combat all forms of terrorism, in accordance with its responsibilities under the Charter.

Adopted unanimously at the 4632nd meeting.

Decision

At its 4667th meeting, on 13 December 2002, the Security Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1450 (2002)
of 13 December 2002

The Security Council,

Reaffirming the purposes and principles of the Charter of the United Nations and its relevant resolutions, in particular its resolutions 1189 (1998) of 13 August 1998, 1269 (1999) of 19 October 1999, 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,

Recalling the obligations of States parties to the International Convention for the Suppression of Terrorist Bombings[16] and the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation,[17]

[16] *General Assembly resolution 52/164, annex.*

[17] United Nations, *Treaty Series*, vol. 974, No. 14118.

Deploring the 2 December and 8 December 2002 claims of responsibility by al-Qa`idah for the acts of terror perpetrated in Kenya on 28 November 2002, and reaffirming the obligations of all States under resolution 1390 (2002) of 16 January 2002,

Reaffirming the need to combat by all means, in accordance with the Charter, threats to international peace and security caused by terrorist acts,

1. *Condemns in the strongest terms* the terrorist bomb attack at the Paradise Hotel, in Kikambala, Kenya, and the attempted missile attack on Arkia Israeli Airlines flight 582 departing Mombasa, Kenya, on 28 November 2002, as well as other recent terrorist acts in various countries, and regards such acts, like any act of international terrorism, as a threat to international peace and security;

2. *Expresses its deepest sympathy and condolences* to the people and the Governments of Kenya and Israel and to the victims of the terrorist attack and their families;

3. *Urges* all States, in accordance with their obligations under resolution 1373 (2001), to cooperate in efforts to find and bring to justice the perpetrators, organizers and sponsors of these terrorist attacks;

4. *Expresses its reinforced determination* to combat all forms of terrorism, in accordance with its responsibilities under the Charter.

Adopted at the 4667th meeting
by 14 votes to 1 (Syrian Arab Republic).

Decisions

At its 4672nd meeting, on 17 December 2002, the Security Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[118]

"The Security Council recalls the statement by its President of 8 October 2002[113] concerning the work programme of the Security Council Committee established pursuant to resolution 1373 (2001) (the Counter-Terrorism Committee).[115]

"The Council notes the key role to be played by international, regional and subregional organizations in supporting government capacity-strengthening on counter-terrorism and in furthering the implementation of resolution 1373 (2001). It encourages the Counter-Terrorism Committee to build a dialogue with and encourage a dialogue between such organizations active in the areas covered by that resolution.

"In this context, the Council requests the Counter-Terrorism Committee, with a view to improving the flow of information on experiences, standards and best practice, and to coordinating ongoing activity, to invite all relevant international, regional and subregional organizations:

"(*a*) To contribute to a report information on their activities in the area of counter-terrorism;

"(*b*) To send a representative to attend a special meeting of the Counter-Terrorism Committee with international, regional and subregional organizations on 7 March 2003.

"The Council invites the Counter-Terrorism Committee to report on developments at regular intervals."

[118] S/PRST/2002/38.

At its 4678th meeting, on 20 December 2002, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1452 (2002)
of 20 December 2002

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001 and 1390 (2002) of 16 January 2002,

Expressing its determination to facilitate the implementation of counter-terrorism obligations in accordance with relevant Security Council resolutions,

Reaffirming its resolution 1373 (2001) of 28 September 2001, and reiterating its support for international efforts to root out terrorism, in accordance with the Charter of the United Nations,

Acting under Chapter VII of the Charter,

1. *Decides* that the provisions of paragraph 4 (*b*) of resolution 1267 (1999), and paragraphs 1 and 2 (*a*) of resolution 1390 (2002), do not apply to funds and other financial assets or economic resources that have been determined by the relevant State(s) to be:

(*a*) Necessary for basic expenses, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges for routine holding or maintenance of frozen funds or other financial assets or economic resources, after notification by the relevant State(s) to the Security Council Committee established pursuant to resolution 1267 (1999) (hereinafter referred to as "the Committee") of the intention to authorize, where appropriate, access to such funds, assets or resources and in the absence of a negative decision by the Committee within forty-eight hours of such notification;

(*b*) Necessary for extraordinary expenses, provided that such determination has been notified by the relevant State(s) to the Committee and has been approved by the Committee;

2. *Also decides* that all States may allow for the addition to accounts subject to the provisions of paragraph 4 (*b*) of resolution 1267 (1999) and paragraphs 1 and 2 (*a*) of resolution 1390 (2002) of:

(*a*) Interest or other earnings due on those accounts; or

(*b*) Payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of resolutions 1267 (1999), 1333 (2000), or 1390 (2002), provided that any such interest, other earnings and payments continue to be subject to those provisions;

3. *Further decides* that the Committee shall, in addition to the tasks set forth in paragraph 6 of resolution 1267 (1999) and paragraph 5 of resolution 1390 (2002):

(*a*) Maintain and regularly update a list of the States that have notified the Committee of their intent to apply the provisions of paragraph 1 (*a*) above in their implementation of the relevant resolutions and as to which there was no negative decision by the Committee; and

(*b*) Consider and approve, if appropriate, requests for extraordinary expenses as provided for in paragraph 1 (*b*) above;

4. *Decides* that the exception provided for in paragraph 4 (*b*) of resolution 1267 (1999) shall cease to have effect from the date of adoption of the present resolution;

5. *Urges* Member States to take full account of the considerations set out above in their implementation of resolution 1373 (2001);

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 4678th meeting.

Decision

At its 4686th meeting, on 17 January 2003, the Security Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1455 (2003) of 17 January 2003

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001, 1373 (2001) of 28 September 2001, 1390 (2002) of 16 January 2002 and 1452 (2002) of 20 December 2002,

Underlining the obligation placed upon all Member States to implement, in full, resolution 1373 (2001), including with regard to any member of the Taliban and al-Qa'idah, and any individuals, groups, undertakings and entities associated with the Taliban and al-Qa'idah, who have participated in the financing, planning, facilitating and preparation or perpetration of terrorist acts or in supporting terrorist acts, as well as to facilitate the implementation of counter-terrorism obligations in accordance with relevant Security Council resolutions,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, threats to international peace and security caused by terrorist acts,

Noting that, in giving effect to the measures in paragraph 4 (*b*) of resolution 1267 (1999), paragraph 8 (*c*) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002), full account is to be taken of the provisions of paragraphs 1 and 2 of resolution 1452 (2002),

Reiterating its condemnation of the al-Qa'idah network and other associated terrorist groups for ongoing and multiple criminal terrorist acts, aimed at causing the deaths of innocent civilians, and other victims, and the destruction of property,

Reiterating its unequivocal condemnation of all forms of terrorism and terrorist acts as noted in resolutions 1368 (2001) of 12 September 2001, 1438 (2002) of 14 October 2002, 1440 (2002) of 24 October 2002 and 1450 (2002) of 13 December 2002,

Reaffirming that acts of international terrorism constitute a threat to international peace and security,

Acting under Chapter VII of the Charter,

1. *Decides* to improve the implementation of the measures imposed by paragraph 4 (*b*) of resolution 1267 (1999), paragraph 8 (*c*) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002);

2. *Also decides* that the measures referred to in paragraph 1 above will be further improved in twelve months, or sooner if necessary;

3. *Stresses* the need for improved coordination and increased exchange of information between the Security Council Committee established pursuant to resolution 1267 (1999) (hereinafter referred to as "the Committee") and the Security Council Committee established pursuant to resolution 1373 (2001);

4. *Requests* the Committee to communicate to Member States the list referred to in paragraph 2 of resolution 1390 (2002) at least every three months, and stresses to all Member States the importance of submitting to the Committee the names of and identifying information, to the extent possible, about members of al-Qa'idah and the Taliban and other individuals, groups, undertakings and entities associated with them so that the Committee can consider adding new

names and details to its list, unless to do so would compromise investigations or enforcement actions;

5. *Calls upon* all States to continue to take urgent steps to enforce and strengthen through legislative enactments or administrative measures, where appropriate, the measures imposed under domestic laws or regulations against their nationals and other individuals or entities operating in their territory to prevent and punish violations of the measures referred to in paragraph 1 above, and to inform the Committee of the adoption of such measures, and invites States to report the results of all related investigations or enforcement actions to the Committee, unless to do so would compromise the investigations or enforcement actions;

6. *Also calls upon* all States to submit an updated report to the Committee no later than ninety days from the adoption of the present resolution on all steps taken to implement the measures referred to in paragraph 1 above and all related investigations and enforcement actions, including a comprehensive summary of frozen assets of listed individuals and entities within the territories of Member States, unless to do so would compromise investigations or enforcement actions;

7. *Calls upon* all States, relevant United Nations bodies, and, as appropriate, other organizations and interested parties to cooperate fully with the Committee and with the Monitoring Group referred to in paragraph 8 below, including by supplying such information as may be sought by the Committee pursuant to all pertinent resolutions and by providing all relevant information, to the extent possible, to facilitate proper identification of all listed individuals and entities;

8. *Requests* the Secretary-General, upon adoption of the present resolution and acting in consultation with the Committee, to reappoint five experts, drawing, as much as possible and as appropriate, on the expertise of the members of the Monitoring Group established pursuant to paragraph 4 (a) of resolution 1363 (2001), to monitor for a further period of twelve months the implementation of the measures referred to in paragraph 1 above and to follow up relevant leads relating to any incomplete implementation of those measures;

9. *Requests* the Chairman of the Committee to report orally at least every ninety days to the Council in detail on the overall work of the Committee and the Monitoring Group, and stipulates that these updates shall include a summary of progress in submitting the reports referred to in paragraph 6 of resolution 1390 (2002) and paragraph 6 above;

10. *Requests* the Secretary-General to ensure that the Monitoring Group and the Committee and its Chairman have access to sufficient expertise and resources as and when required to assist in the discharge of their responsibilities;

11. *Requests* the Committee to consider, where and when appropriate, a visit to selected countries by the Chairman of the Committee and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to implement all relevant Council resolutions;

12. *Requests* the Monitoring Group to submit a detailed work programme within thirty days of the adoption of the present resolution and to assist the Committee in providing guidance for Member States on the format of the reports referred to in paragraph 6 above;

13. *Also requests* the Monitoring Group to submit two written reports to the Committee, the first by 15 June 2003 and the second by 1 November 2003, on implementation of the measures referred to in paragraph 1 above and to brief the Committee when the Committee so requests;

14. *Requests* the Committee, through its Chairman, to provide the Council by 1 August 2003 and by 15 December 2003 with detailed oral assessments of implementation by Member States of the measures referred to in paragraph 1 above based on reports by Member States referred to in paragraph 6 above, paragraph 6 of resolution 1390 (2002) and all pertinent parts of reports submitted by Member States under resolution 1373 (2001), and in line with transparent criteria to be determined by the Committee and communicated to all Member States, in addition to

considering supplementary recommendations by the Monitoring Group, with a view to recommending further measures for consideration by the Council to improve the measures referred to in paragraph 1 above;

15. *Also requests* the Committee, based on its oral assessments, through its Chairman, to the Council referred to in paragraph 14 above, to prepare and circulate a written assessment to the Council of actions taken by States to implement the measures referred to in paragraph 1 above;

16. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4658th meeting.

Decision

At its 4708th meeting, on 13 February 2003, the Security Council decided to invite the representative of Colombia to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1465 (2003) of 13 February 2003

The Security Council,

Reaffirming the purposes and principles of the Charter of the United Nations and its relevant resolutions, in particular resolution 1373 (2001) of 28 September 2001,

Reaffirming also the need to combat by all means, in accordance with the Charter, threats to international peace and security caused by terrorist acts,

1. *Condemns in the strongest terms* the bomb attack in Bogotá on 7 February 2003 in which many lives were lost and people injured, and regards such an act, like any act of terrorism, as a threat to peace and security;

2. *Expresses its deepest sympathy and condolences* to the people and the Government of Colombia and to the victims of the bomb attack and their families;

3. *Urges* all States, in accordance with their obligations under resolution 1373 (2001), to work together urgently and to cooperate with and provide support and assistance, as appropriate, to the Colombian authorities in their efforts to find and bring to justice the perpetrators, organizers and sponsors of this terrorist attack;

4. *Expresses its reinforced determination* to combat all forms of terrorism, in accordance with its responsibilities under the Charter.

Adopted unanimously at the 4708th meeting.

Decisions

At its 4710th meeting, on 20 February 2003, the Security Council decided to invite the representatives of Albania, Argentina, Australia, Bahrain, Belarus, Canada, Colombia, Croatia, Cuba, Egypt, El Salvador, Fiji, Greece, the Islamic Republic of Iran, Israel, Japan, Liechtenstein, Myanmar, Peru, South Africa, Turkey, Ukraine and Yemen to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Sir Jeremy Greenstock, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

At its 4734th meeting, on 4 April 2003, the Council decided to invite the representatives of Australia, Belarus, Brazil, Cambodia, Colombia, Fiji, Greece, India, Israel, Japan, Norway, Peru,

the Philippines and the Republic of Korea to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Sir Jeremy Greenstock, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

Upon resumption of the meeting, on 4 April 2003, the Council further decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[119]

> "The Security Council welcomes the briefing by the Chairman of the Counter-Terrorism Committee on the work of the Committee.
>
> "The Council recalls the statement by its President of 8 October 2002,[11] which recorded the intention of the Council to review the structure and activities of the Counter-Terrorism Committee no later than 4 April 2003. The Council thanks Sir Jeremy Greenstock, of the United Kingdom of Great Britain and Northern Ireland, for his chairmanship of the Committee during the first 18 months of its work, and confirms the appointment of Mr. Arias, of Spain, as the new Chairman. The Council also confirms the continuation in office of Mr. Gaspar Martins, of Angola, Mr. Aguilar Zinser, of Mexico, and Mr. Lavrov, of the Russian Federation, as Vice-Chairmen of the Committee.
>
> "The Council invites the Counter-Terrorism Committee to pursue its agenda as set out in the work programme for the Committee for the seventh 90-day period.[120]
>
> "The Council notes that 3 States have not yet submitted a report to the Counter-Terrorism Committee, and that 51 Member States are late in submitting a further report, in contravention of the requirements set out in resolution 1373 (2001) of 28 September 2001. It calls upon them urgently to do so, in order to maintain the universality of response which resolution 1373 (2001) requires.
>
> "The Council invites the Counter-Terrorism Committee to continue reporting on its activities at regular intervals and expresses its intention to review the structure and activities of the Committee no later than 4 October 2003."

At its 4752nd meeting, on 6 May 2003, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

At its 4792nd meeting, on 23 July 2003, the Council decided to invite the representatives of Colombia, Indonesia, Israel, Italy, Japan, Nepal, Peru, the Republic of Korea, Uganda and Ukraine to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At its 4798th meeting, on 29 July 2003, the Council decided to invite the representatives of Argentina, Australia, Colombia, India, Israel, Italy, Japan, Liechtenstein and Ukraine to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Heraldo Muñoz, Chairman of the Security Council Committee established pursuant to

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[119] S/PRST/2003/3.

[120] S/2003/387, annex.

resolution 1267 (1999), and Mr Michael Chandler, Chairman of the Monitoring Group established pursuant to resolution 1363 (2001).

C. High-level meeting of the Security Council: combating terrorism

Decisions

At its 4688th meeting, at the level of Ministers for Foreign Affairs, on 20 January 2003, the Security Council considered the item entitled "High-level meeting of the Security Council: combating terrorism".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Sir Jeremy Greenstock, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

Resolution 1456 (2003) of 20 January 2003

The Security Council

Decides to adopt the attached declaration on the issue of combating terrorism.

Adopted unanimously at the 4688th meeting.

Annex

The Security Council,

Meeting at the level of Ministers for Foreign Affairs on 20 January 2003, reaffirms that:

(*a*) Terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security;

(*b*) Any acts of terrorism are criminal and unjustifiable, regardless of their motivation, whenever and by whomsoever committed and are to be unequivocally condemned, especially when they indiscriminately target or injure civilians;

(*c*) There is a serious and growing danger of terrorist access to and use of nuclear, chemical, biological and other potentially deadly materials, and therefore a need to strengthen controls on these materials;

(*d*) It has become easier, in an increasingly globalized world, for terrorists to exploit sophisticated technology, communications and resources for their criminal objectives;

(*e*) Measures to detect and stem the flow of finance and funds for terrorist purposes must be urgently strengthened;

(*f*) Terrorists must also be prevented from making use of other criminal activities such as transnational organized crime, illicit drugs and drug trafficking, money-laundering and illicit arms trafficking;

(*g*) Since terrorists and their supporters exploit instability and intolerance to justify their criminal acts, the Council is determined to counter this by contributing to the peaceful resolution of disputes and by working to create a climate of mutual tolerance and respect;

(*h*) Terrorism can only be defeated, in accordance with the Charter of the United Nations and international law, by a sustained comprehensive approach involving the active participation and collaboration of all States and international and regional organizations, and by redoubled efforts at the national level.

The Council therefore calls for the following steps to be taken:

1. All States must take urgent action to prevent and suppress all active and passive support to terrorism, and, in particular, comply fully with all relevant resolutions of the Council, in particular resolutions 1373 (2001) of 28 September 2001, 1390 (2002) of 16 January 2002 and 1455 (2003) of 17 January 2003;

2. The Council calls upon States:

(*a*) To become parties, as a matter of urgency, to all relevant international conventions and protocols relating to terrorism, in particular the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999,[12] and to support all international initiatives taken with that aim, and to make full use of the sources of assistance and guidance which are now becoming available;

(*b*) To assist each other, to the maximum extent possible, in the prevention, investigation, prosecution and punishment of acts of terrorism, wherever they occur;

(*c*) To cooperate closely to implement fully the sanctions against terrorists and their associates, in particular al-Qa'idah and the Taliban and their associates, as reflected in resolutions 1267 (1999) of 15 October 1999, 1390 (2002) and 1455 (2003), to take urgent actions to deny them access to the financial resources they need to carry out their actions, and to cooperate fully with the Monitoring Group established pursuant to resolution 1363 (2001);

3. States must bring to justice those who finance, plan, support or commit terrorist acts or provide safe havens, in accordance with international law, in particular on the basis of the principle to extradite or prosecute;

4. The Counter-Terrorism Committee must intensify its efforts to promote the implementation by Member States of all aspects of resolution 1373 (2001), in particular by reviewing reports by States and facilitating international assistance and cooperation, and by continuing to operate in a transparent and effective manner, and in that regard the Council:

(*a*) Stresses the obligation of States to report to the Committee, according to the timetable set by the Committee, calls upon the 13 States that have not yet submitted a first report and on the 56 States that are late in submitting further reports to do so by 31 March, and requests the Committee to report regularly on progress;

(*b*) Calls upon States to respond promptly and fully to the requests for information, comments and questions of the Committee in full and on time, and instructs the Committee to inform the Council of progress, including any difficulties it encounters;

(*c*) Requests the Committee, in monitoring the implementation of resolution 1373 (2001), to bear in mind all international best practices, codes and standards which are relevant to the implementation of resolution 1373 (2001), and underlines its support for the approach of the Committee in constructing a dialogue with each State on further action required to implement fully resolution 1373 (2001);

5. States should assist each other to improve their capacity to prevent and fight terrorism, and notes that such cooperation will help to facilitate the full and timely implementation of resolution 1373 (2001), and invites the Counter-Terrorism Committee to step up its efforts to facilitate the provision of technical and other assistance by developing targets and priorities for global action;

6. States must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law;

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[12] General Assembly resolution 54/109, annex.

7. International organizations should evaluate ways in which they can enhance the effectiveness of their action against terrorism, including by establishing dialogue and exchanges of information with each other and with other relevant international actors, and directs this appeal in particular to those technical agencies and organizations whose activities relate to the control of the use of or access to nuclear, chemical, biological and other deadly materials; in this context the importance of fully complying with existing legal obligations in the field of disarmament, arms limitation and non-proliferation and, where necessary, strengthening international instruments in this field should be underlined;

8. Regional and subregional organizations should work with the Counter-Terrorism Committee and other international organizations to facilitate sharing of best practice in the fight against terrorism, and to assist their members in fulfilling their obligation to combat terrorism;

9. Those participating in the special meeting of the Counter-Terrorism Committee with international, regional and subregional organizations on 7 March 2003 should use that opportunity to make urgent progress on the matters referred to in the present declaration which involve the work of such organizations;

* * *

The Council also

10. Emphasizes that continuing international efforts to enhance dialogue and broaden understanding among civilizations, in an effort to prevent the indiscriminate targeting of different religions and cultures, to strengthen further the campaign against terrorism and to address unresolved regional conflicts and the full range of global issues, including development issues, will contribute to international cooperation and collaboration, which by themselves are necessary to sustain the broadest possible fight against terrorism;

11. Reaffirms its strong determination to intensify its fight against terrorism in accordance with its responsibilities under the Charter, takes note of the contributions made during its meeting on 20 January 2003 with a view to enhancing the role of the United Nations in this regard, and invites Member States to make further contributions to this end;

12. Invites the Secretary-General to submit within 28 days a report summarizing any proposals made during its ministerial meeting and any commentary or response to these proposals by any member of the Council;

13. Encourages States Members of the United Nations to cooperate in resolving all outstanding issues with a view to the adoption, by consensus, of the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism;

14. Decides to review actions taken towards the realization of the present declaration at further meetings of the Council.

THE SITUATION IN BURUNDI[122]

Decisions

At its 4669th meeting, held in private on 17 September 2002, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

[122] Resolutions or decisions on this question were also adopted by the Security Council in the years from 1993 to 2001 and during the period from 1 January to 31 July 2002.